

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

Executive Summary

Advice on Council Court proceedings for the period of 1 October 2023 – 31 October 2023 inclusive, is contained in this report.

Current Legal Matter Statistics

Land and Environment Court

- 31 x Class 1 Appeals
- 1x Class 3 Appeal

Local Court

• 8 x Council Prosecutions

Finalised Legal Matters Statistics

Land and Environment Court

• 3 x Class 1 Appeals

Local Court

• 1x Local Court

Legal Services Status Report

		<u>Legal Services Status Report</u>	
		As at 31 October 2023	
Land a	 Ind Environment Court proceeding Property Address: 	ngs – Class 1 Appeals Description:	Status:
	62 Boundary Street, Parramatta	Appeal against the Delegated deemed refusal of DA/823/2022 seeking approval for the demolition, tree removal and construction of a three-	Appeal is listed for first directions hearing on 3 November 2023.
	Applicant:	storey, 48 place childcare centre with basement parking for 12 vehicles.	
	Elias Nehme	Issues: Bulk & Scale/Heritage/stormwater/accessibility	Solicitors: Matthews Folbigg
1.	Proceedings No.:31097/23New Matter	Prospects: Good	External experts: Nil
	New Matter		Internal experts:
			Planner Heritage Advisor
			Accessibility Officer Engineer
	 Property Address: 1 Tracey Avenue, Carlingford 	Description: Appeal against the Delegated deemed refusal of DA/823/2022 seeking approval for the demolition, tree removal and construction of a threestorey, 48 place childcare centre with basement parking for 12 vehicles.	Status: Appeal is listed for first directions hearing on 10 November 2023.
	• Applicant: 1 Tracey Pty Ltd	Issues:	Solicitors: In-House Legal
2.	• Proceedings No.: 325214/23	Prospects: TBA	External experts:
	New Matter		Nil Internal experts:
			ТВА
	 Property Address: 29 Camelot Court, Carlingford 	Description: Appeal against order to demolish cubby house and remove fence which encroaches on Council reserve.	Status: Appeal is listed for Section 34 Conciliation Conference on 31 January 2024.
3.	• Applicant: Chenglong Huang	Issues: Encroachment on Council Land, development without consent of cubby house.	Solicitors: In-House Legal
	• Proceedings No.: 265675/23	Prospects: Good	External experts: TBC
	Existing Matter		Internal experts: TBC
	Property Address: Co Kinky Street	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 threestorey, 66 place childcare centre with basement parking for 16 vehicles.	Appeal is listed for first directions hearing on 3 October 2023 Solicitors:
	• Applicant: Rydalmere Group Pty Ltd	Issues:	In-House Legal
4.	• Proceedings No.: 281662/23	Bulk, Scale, Character, Visual Privacy, Traffic and Parking, Site Suitability	External experts: Nil
	Existing Matter	Prospects: Good	Internal experts: Nil
	Property Address:	Description:	Status:
	37 Hillcrest Avenue, Winston Hills	Appeal against Development Control Order requiring the demolition of unauthorized retaining walls and fill.	Appeal is listed for s34 concilliation conference on 18 December 2023.
	• Applicant: Trevor Staveley	Issues: Consent required but not obtained	Solicitors: In-house legal
5.	• Proceedings No.: 237592/23	Prospects: Good	External Experts: Nil
	Existing Matter		Internal Experts:
		1	Planner

	Property Address:135 Victoria Road, NorthParramatta	Description: Appeal against the deemed delegated refusal of DA/330/2023 for demolition of the existing dwelling, tree removal and construction of a two storey	Status: Appeal is listed for s34 concilliation conference 29 January 2024.
	• Applicant: JS Architects	boarding house with basement parking and State Title Subdivision into 10 lots.	Solicitors: Inhouse legal & External Firm
6.	• Proceedings No.: 268375/23	Issues: Non Compliance with Housing SEPP, Transport for NSW concurrence, Stormwater	External Experts: Nil
	Existing Matter	Prospects: Good	Internal Experts: Planner Engineer
	• Property Address: 7 Yates Avenue, Dundas Valley	Description: Appeal against the PLPP deemed delegated refusal of DA/7/2023 for the amalgamation of two separate land parcels, tree removal, demolition of	Status: Appeal listed for s34 conciliation conference on March 11 2024.
	• Applicant: M Group Invest Pty Ltd	existing structures and construction of a two storey 83 place centre-based childcare facility with 22 parking spaces on the lower ground floor	Solicitors:
7.	• Proceedings No.: 260699/23	Jegues.	In-house legal
	Existing Matter	Issues: LEP Objectives. Non Compliance with childcare Regulations and Guidelines Site Suitability and streetscape.	External Experts: Nil
		Prospects: Good	Internal Experts: Planner
	• Property Address: 45-49 Asquith Street, Silverwater	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	Status: Appeal is listed for Hearing on 18-19 April 2024.
8.	 Applicant: ACFU International Pty Limited Ors 	multi dwelling housing development containing eleven townhouses with basement level parking for twenty-two resident vehicles and three visitor spaces.	Solicitors: In-House Legal & External Law Firm, Marsdens Law Group
	• Proceedings No.: 180452/23	Issues: Stormwater	External experts: Nil
	Existing Matter	Prospects: Good	Internal experts: Planner Development Engineer
	Property Address: 132 Victoria Road, Rydalmere	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	Status: Appeal is listed for section 34 conciliation conference on 29 January 2024
	Applicant:J S Architects Pty LtdProceedings No.:	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.	Solicitors: In-House Legal
9.	200193/2023 Existing Matter	Issues: Height/FSR/Design Quality/landscaping/ ground water/geotechnical	External experts: Hydraulic and geotechnical engineering - Dr
		·	Daniel Martens Internal experts: Planner Landscape officer Urban
			designer
	• Property Address: 14 Windermere Avenue, Northmead	Description: Appeal against deemed refusal by the PLPP 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.	Status: Appeal is listed for further section 34 conciliation conference on 1 November 2023
	• Applicant: Monique Barakat	Issues: Bulk & Scale/Height/Heritage/Solar Access/Natural Light and	Solicitors: In-house Legal Services
10.	• Proceedings No.: 107525/2023	Ventilation/Landscape/stormwater/emergency evacuation	External experts: Nil
	Existing Matter	Prospects: Good	
	LAISTING IVIULLEI		Internal experts: Planner Development Engineer
			Development Engineer Landscape Officer Accessibility Officer

	• Property Address:	Description:	Status:
	7-7A Gaggin Street North	Appeal against refusal by Council of DA/670/2022 seeking approval for the	Appeal is listed for section 34 conciliation
	Parramatta	demolition, tree removal and construction of a two (2) storey, forty-three	conference on 1 November 2023
		(43) place childcare centre with basement carparking.	
	Applicant:	(15) processing service with suscinctic outputking.	
	Albert Sahyoun	Issues:	Solicitors:
	, abort burry burr	Site selection/Bulk & Scale/ Landscape/Privacy	In-house Legal Services
11.	• Proceedings No :	Impacts/Stormwater/Accessibility/Earthworks	
	Proceedings No.:125558/2023	pastoj stoaterj / toecosionity/ Lui triworks	External experts:
	123330/2023	Prospects: Good	Nil
	Existing Matter		
	Existing Matter		Internal experts:
			Planner
			Development Engineer Landscape Officer Accessibility
			Officer
	Property Address:	Description:	Status:
	19 Tracey Street,	Appeal against the deemed refusal by the PLPP of DA/5/2023 seeking	Appeal is listed for Hearing on 4-5 April 2023
	Carlingford	approval for the Demolition, tree removal and construction of a part one and	April 2023
	Carmingioru	part three storey, 42 place childcare centre with basement parking.	Solicitors:
	• Applicant:	part times storey, 42 place childcare centre with basement parking.	In-house Legal Services
	• Applicant:	Issues:	III House Legal Services
	St Joseph Company Pty Ltd	Bulk & Scale/Transport & Infrastructure	External experts:
12.	B # -:	SEPP/stormwater/Landscape/accessibility/acoustics	Dan Dang (Acoustic Consultant)
	• Proceedings No.:	3E11/3tofffwate1/Earluscape/accessibility/acoustics	Dan Dang (Acoustic Consultant)
	61648/2023	Prospects: Good	Internal experts:
		Frospecis. Good	Planner
	Existing Matter		Development Engineer Landscape Officer Accessibility
			Officer Officer
			Officer
	Property Address:	Description:	Status:
	1	Appeal against the deemed refusal by the PLPP of DA/14/2023 seeking	Appeal is listed for resumed section 34 Conciliation
	79-79A Kissing Point Road & 7 St Andrews Street Dundas	approval for Demolition, tree removal, site consolidation and construction of	Conference on 8 November 2023
	/ St Andrews Street Dundas	two part 5 and part 6 storey residential flat buildings with 3 levels of	Comercial on a November 2023
	a Amelia and	basement carparking. The application is Nominated Integrated development	
	Applicant:	pursuant to the Water Management Act 2000.	Solicitors:
	HVH Investments Pty Ltd	parsuant to the water management Act 2000.	In-House Legal
13.		Issues:	III-House Legal
15.	Proceedings No.:	WaterNSW and Transport for NSW concurrence, Bulk and Scale, Height,	External experts:
	63219/2023	Earthworks	Matthew McCarthy - Traffic consultant
		Laidiworks	Traine Consultant
	Existing Matter		Internal experts:
		Prospects: Good	Planner
			Urban Design Accessibility
			Stormwater management
	Property Address:	Description:	Status:
	379 Kissing Point Road,	Appeal seeking to modify Development Consent DA/399/2020 granted by the	
1	Ermington.	Land and Environment Court on 8 June 2021, approving the demolition, tree	
		removal and construction of a two storey 78 place childcare centre over	further hearing on 8 November 2023
	• Applicant:	basement parking. The modification seeks deletion of the deferred	Tartifer flearing off o November 2025
	Applicant: Ermington Projects Ptylltd	commencement conditions relating to stormwater.	
	Ermington Projects Pty Ltd	commencement conditions relating to stormwater.	Solicitors:
14.	- Burney House	Issues:	In-house Legal Services Counsel: Matt Harker
1	• Proceedings No.:	Stormwater, impact on adjoining properties	in nouse regarder vices counser, what name
	382243/2022	Stormwater, impact on aujoining properties	External experts:
			Nil
	Existing Matter	Prospects: Good	IVII
			Internal experts: Stormwater engineer Planner
			Landscape (horticulturalist/arborist)
	• Proporty Address:	Description:	Status:
	 Property Address: 188-190 Junction Road, 	·•	Section 34 conciliated agreement filed with the
	Winston Hills	tree removal and construction of a two (2) storey, one-hundred (100) place	
	WILLSTOIL LIIIS	childcare centre with basement carparking.	November 2023.
1	a Applicant:	omideare centre with basement carpaining.	HOYCHINCI 2023.
	• Applicant:	lectioe.	Solicitors:
	MNM Brothers Pty Ltd	Issues: Bulk and Scale/Site Suitability/uponcumbered outdoor play area/air	
15	. Burney H. C.	Bulk and Scale/Site Suitability/unencumbered outdoor play area/air	In-House Legal Services
15.	• Proceedings No.:	pollution/parking	External experts:
1	82808/2023		External experts:
		Prospects: Good	Matt McCarthy (Traffic Consultant)
	Existing Matter	1103pects. 0000	Internal superter
	•		Internal experts:
			•
			Planner
			•

	Property Address:	Description:	Status:
	51 Railway Street,	Appeal against the refusal of DA/880/2021 seeking approval for Demolition	Appeal is listed for s34 conciliation conference
	Granville	and construction of a 5 storey residential flat building containing 4 units and	status update via online Court on 7 November
		basement parking.	2023
	- Annliannt	basement parking.	2023
	Applicant:		a 1: ::
	Railway 51 Pty Ltd	Issues:	Solicitors:
		Bulk and Scale/flood/height	In-House Legal Services
16.	• Proceedings No.:		
	87203/2023		External experts:
	0720372023	Prospects: Good	Nil
			TVII
	Existing Matter		
			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	Appeal is listed for Hearing on 10-12 April 2024.
		removal and construction of an 80 place child care centre with basement	
	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
17.	B	reduction in number of children from 66 places to 60 places.	in House regar services
	Proceedings No.:		l
	96466/2023	Issues:	External experts:
		Contamination/Heritage Conservation/Traffic	Ken Hollyoak – Traffic Consultant
	Existing Matter		
	Existing Watter		Internal experts: Planner
		Prospects: Good	internal experts. Flammer
	Property Address:	Description:	Status:
	11-13 Campbell Street,	Appeal against the deemed delegated refusal of DA/996/2022 for the	Appeal is listed for section 34 conciliation
	Northmead	amalgamation of 2 lots, demolition, tree removal and construction of a two	conference on 22 January 2024
	Northinead	(2) storey 83 place centre based child care facility with basement parking for	comercines on 22 various y 202 4
	Applicant:	23 vehicles.	
	GMD Campbell Unit Trust		Solicitors:
18.		Issues:	Pikes Verekers
	• Proceedings No.:	Parking, Bulk & Scale, Visual Impacts	
	•	,	External experts: Nil
	237489/23		Laternal experts. Wil
		Prospects: Good	
	Existing Matter	·	Internal experts:
			Planner
			Traffic
	Property Address:	Description:	Status:
		Appeal against the Delegated refusal of DA/961/2022 seeking approval for	Appeal is listed for section 34 conciliation
	21B-23 Barangaroo Road,		1
	Toongabbie	the demolition of existing childcare centre, tree removal and construction	conference date on 20 March 2024.
		of a new 72 place childcare centre with at grade parking for 18 vehicles,	
	Applicant:	signage and front fence. The development is Nominated Integrated	Solicitors:
	Pankhurst & Anor	Development pursuant to the Water Management Act 2000.	Pikes & Verekers
	. diminist & Alloi	2 3.5.5 p.m. 5.1. p.m. 5.4 and to the tracer management race 2000.	
19.		I	Futamed assesses AU
	• Proceedings No.:	Issues:	External experts: Nil
	293029/23	Aims of LEP, Zone objectives, Site Suitability and Location, Character,	
		Bulk & Scale, Landscaping, Acoustic and Visual Privacy, Noise and Air	Internal experts:
	Existing Matter	Pollution, Flooding, Traffic & Parking, Biodiverity.	Planning
			Biodiversity
			Landscape
		Prospects: Good	· ·
			Flood Traffic
	Property Address:	Description:	Status:
	32 Honiton Avenue,	Appeal against the deemed refusal of the PLPP of DA/900/2022 for	Appeal is listed for section 34 conciliation
	Carlingford	demolition, tree removal and construction of a centre-based child care	conference on 15 December 2023
	3	facility to accommodate 67 children with ground and basement level	The state of the s
	A !!	,	
1	Applicant:	parking for 17 cars.	
			Solicitors:
	Albert Abi-Khattar		Halding Dadlich
	Albert Abi-Khattar	Issues:	Holding Redlich
20			Holding Redlich
20.	• Proceedings No.:	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/	
20.			External experts:
20.	• Proceedings No.:	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/ Accessibility/Earthworks	External experts: Brian McDonald
20.	• Proceedings No.:	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/	External experts:
20.	• Proceedings No.: 182424/23	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/ Accessibility/Earthworks	External experts: Brian McDonald
20.	• Proceedings No.: 182424/23	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/ Accessibility/Earthworks	External experts: Brian McDonald (Urban Design)
20.	• Proceedings No.: 182424/23	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/ Accessibility/Earthworks	External experts: Brian McDonald (Urban Design) Internal experts:
20.	• Proceedings No.: 182424/23	Character/ Site selection/Bulk & Scale/ Landscape/Privacy Impacts/ Accessibility/Earthworks	External experts: Brian McDonald (Urban Design)

			T
	Property Address:	Description:	Status:
	73 Murray Farm Road,	Delegated refusal of DA/116/2023 seeking approval for the demolition of	Appeal is listed for further s34 conciliation
	Carlingford	existing structures and construction of a two storey 65 place childcare	conference on 15 November 2023
	Samme and a	centre with 16 basement car parking spaces.	
	• Applicants	centre with 10 busement cur parking spaces.	
	• Applicant:	leavees	Solicitors:
	Joshua Glanville	Issues:	
		Bulk & Scale/Non-compliance with Education and Childcare	Bartier Perry
21.	• Proceedings No.:	Regulations/Traffic and Parking/Landscaping/stormwater	
	115894/23		External experts:
		Prospects: Good	\$14,302.84 + GST
	Existing Matter		
			Internal experts:
			Planner
			Development Engineer Landscape Officer
			Accessibility Officer
	- Dunanauta Addunasa	Description	Status:
	Property Address:	Description:	
	9 Mars Street, Epping	Delegated refusal of DA/648/2021 seeking approval for Demolition of the	Appeal is listed for s34AA conciliation
		existing structures, tree removal, and construction of a dual occupancy with	conference and hearing on 26-27 February 2024
	Applicant:	Torrens Title subdivision into 2 lots.	
	Hilton Thomas Brown		
		Issues:	Solicitors:
	• Proceedings No.:	Flooding, Aims of the LEP	Bartier Perry
22.	69039/23		,
	03033/23		External experts:
	Frieding 8.6 attack	Prospects: Good	
	Existing Matter		Nil
			Internal experts:
			Planner
			Senior Catchment and Development Engineer
	Property Address:	Description:	Status:
	52 Hammers Road,	Appeal against the PLPP deemed refusal of DA/314/2023 for demolition,	Appeal is listed for Hearing on 16-17 May 2024.
	Northmead	tree removal and construction of a 76 place child care centre with basement	
	Northinead	parking.	
	. Annii annii	parking.	Solicitors:
	Applicant:	lanuari	
23.	Nortmead P Pty Ltd	Issues:	Marsdens briefed.
25.		TBA	
	Proceedings No.:		External experts: Nil
	180452/23	Prospects: TBA	
			Internal experts:
	Existing Matter		Planner
	<u> </u>		Traffic Landscape
			'
	Property Address:	Description: Appeal against the SCCPP refusal of Development Application	
	263-273 Pennant Hills	no. DA/53/2022 for Construction of seven 10-13 storey buildings comprising	Appeal is listed for further s34 conciliation conference
	Road and 18 Shirley Street,	620 residential units, child care centre for 110 children, 1,735sqm of 17	on 13 November 2024
	Carlingford	neighbourhood retail shops and 864 basement car parking spaces;	
		publicly accessible open spaces and through site links; roads; landscaping;	Solicitors:
	• Applicant: Karimbla	and tree removal.	Marsdens Law Group briefed
		and deciremetan	a. sacio Latt Group Microu
24.	Properties (No.59) Pty	Issue: Hoight/ESP/Urhan Docign/Visual privacy/Salar	Evtornal Evnorte:
	Limited	Issues: Height/FSR/Urban Design/ Visual privacy/Solar	External Experts:
		Access/Amenity/Sustainability/Transport for NSW/Traffic impacts/Water	Che Wall (ESD Consultant). Stephen
	• Proceedings No.:	Management	Collier (Urban Design)
	142308/22178916/23		
		Prospects: Good	
	Existing Matter		Internal experts:
			Planner
	Property Address:	Description:	Status:
	14-16 Hill Road, Wentworth	Appeal against the delegated deemed refusal of DA/597/2021 seeking	Appeal is listed for Directions Hearing on
	Point	approval of a Section 4.55(1A) modification to an approved residential flat	1 November 2023.
	. Sinc	building development seeking additional windows to apartments on Levels	
	a Amplicants	· · · · · · · · · · · · · · · · · · ·	
	• Applicant:	03 to 08 of Building J, correction to the lot numbering in the plan of	Callatana
	SH Hill Road Development	subdivision, the deletion of Conditions 14, 15 and 66 (TfNSW conditions),	Solicitors:
	Pty Ltd	deletion of Condition 54 requiring a tanked basement and amending	Marsdens Law Group
25.		Condition 12 to reflect the current long service levy requirements.	
	• Proceedings No.:		External experts:
	15776/23	Issues:	Nil
	, -	Transport for NSW conditions/Groundwater	
	Existing Matter	,	Internal experts:
	LAISTING WIGHTE	Prospects: Good	Planner
		1.03pccto. 000a	Catchment and Development Engineer
			Catalinent and Development Engineer

# Property Address:				
Appellant State of the further section 34 appellant is a function of uniform requiring denotions of an uniform section 34 appellant states. 2.6. **Proceedings No: 15024/23 Property Address: 0 Description of 15024/23 Proceedings No: 15024/23 Proc		Property Address:	Description:	Status:
# Applicant: Muckey Moss and Setty No.			·	
Applicant: Multiply Mores and Detry Mores. 150934/73 Existing Metter Property Address: 1-6-70 Like Street and 55 - 57 Pennant Hill Bood, AND TO Pennant Hill Bood, Norse		32 ivioses way, winston Hills	, , ,	
Notinghy Moses and Retry Moses 26.			unlawful works.	conciliation conference on 8 November 2023
Notinghy Moses and Retry Moses 26.		Applicant:		
Applicant: Property Address: Description: D			Issues:	
Applicant Property Address: Property Address: Description: Property Address: Description: Property Address: Applicant Property Address: Applicant Property Address: Property Address: Property Address: Applicant Property Address: Proper		1		Callatana
Prospects: Grood Prospects: G		Moses	No development consent	Solicitors:
Prospects: Grood Prospects: G				Marsdens Law Group
Property Address: 1-4 20 Lake Street and 55 Description: D	26	a Draggadings No.	Procedure: Good	1
Property Address: 1-2 Property Address: 1-2	26.	_	Frospects. Good	
Property Address: 4-Property Address: 14-20 Lake Sirect and 55 14-20 Lake Sirect and 56 14-20 L		150924/23		External experts:
Property Address: 4-Property Address: 14-20 Lake Sirect and 55 14-20 Lake Sirect and 56 14-20 L				Nil
#Property Address: 14-20 Lake Stores and 3S —97 Pennant His Boad. Horth Pariments: 1 Applicant: 1 Applicant: 1 Proceedings No.: 1 Prospects: 2 Prospects: 3 Prosp		Eviation a Manthou		
Property Address: 1-20 Lake Street and 55		Existing iviatter		
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi				Internal experts: Development Control Officer
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi				
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi				
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi				
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi				
1-20 Lake Street and 55 Delegated refusal of DA/221/2022 seeking approval for demolition of existing shutchers, reconsulguration of subdivision creating Subdivision creation of subtraing where years and 1x dwelling house, or reproduction of existing shutching house on proposed lot 9 and an anew road. The proposal is integrated Development under the Rural Fires Act Malouf 1997. 27. 27. 28. Proceedings No.: Issues: Sussis: Sussi: Sussis: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi: Sussi		Property Address:	Description:	Status
- 57 Pennant Hills Road, North Parrametta North Parramett			·	
Applicant: **Property Address: **Proceedings No: 27. **Proceedings No: **Property Address: **Proceedings No: **Proceedings No: **Projects Py Little Computability/Sturmwise/Accessibility Computability/Sturmwise/Accessibility/Sturmwise/Acce		14-20 Lake Street and 55		··
Applicant: **Property Address: **Projecting No: **Projecting No		 57 Pennant Hills Road, 	existing structures, removal of trees, reconfiguration of subdivision creating	conference on 24 November 2023
*Applicant: Malouf & Natour 1997. **Proceedings No.: 158ues: Bushife Prone Land, Transport for NSW Concurrence, stormwater **Property Address: 1.1/7 Shirkey Street, Callingford existing bublidings, tree removal and construction of a 12 storey mixed use where the surface of the water 1.1/8 Shirkey Street Projects Pty 1.1/8 **Proceedings No.: 1.1/8 Shirkey Street Projects Pty 1.1/8 **Proceedings No.: 1.1/8 Shirkey Street Projects Pty 1.1/8 **Proceedings No.: 1.1/8 Shirkey Street Projects Pty 1.1/8 Shirkey Street Pty 1.1/8 S		-	9 lots construction of 7x two storey dual occupancies and 1x dwelling	
# Applicant: To add. The proposal is integrated Development under the Rural Fires Act Maloud & Maloud 1997. # Proceedings No.: Issues: Bushfire Prone Land, Transport for NSW Concurrence, stormwater Internal experts: Grahame Swain (Bushfire Consultant) Internal experts: Planner Development Engineer Internal experts: Internal experts: Internal experts: Internal experts: Internal experts: Internal experts: Internal experts: Internal experts: Internal ex		North Farramatta	, ,	Callatina a
Malouf & Natouf Proceedings No: 18sues: Bushfire Prone Land, Transport for NSW Concurrence, stormwater Prospects: Good Prospects: Good Prospects: Good Prospect Address: 11.17 Strifey Street, Carlingford Applicant: Proceedings No: 15.17 Strifey Street, Carlingford Applicant: Proceedings No: 15.17 Strifey Street, Carlingford Applicant: Proceedings No: 15.17 Strifey Street, Compatibility/Natural Ventilation/Character/Building Orientation, Envelope Bushfired Applicant: Proceedings No: 15.17 Strifey Street Projects Pty Internal experts: Internal experts: Planner Development Engineer Development Engineer Applicant: Applicant: Proceedings No: 15.17 Strifey Street Projects Pty Internal experts: Strifey Strifey Street Projects Pty Internal experts: Internal experts: Strifey Strifey Street Projects Pty Internal experts: Strifey				
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# Proceedings No: 2317/23 **Existing Matter** **Prospects: Good** **Prospecty Address: 13-17 Shirley Street, Caringford **Applicant: **Proceedings No: 28.** **Proceedings No: 28.** **Proceedings No: 28.** **Proceedings No: 29.** **Property Address: 1-1-17 Shirley Street, Caringford **Applicant: **Proceedings No: 29.** **Proceedings No: 29.** **Proceedings No: 20.** **Property Address: 20.** **Proceedings No: 20.** **Proceedings No: 20.** **Proceedings No: 20.** **Property Address: 20.** **Proceedings No: 20.** **Property Address: 20.** **Proceedings No: 20.** **Property Address: 20.** 20.** **Property Address: 20.** 20.** **Property Address: 20.** 20.** **Property Address: 20.** 20.** 20.** **Property Address: 20.** 20.** 20.** 20.** 20.** 20.**		IVIAIOUI & IVIAIOUI		External experts:
## Property Address: 1-17 Shirley Street, Carlingford Applicant: Shirley Street Projects Pty U ## Proceedings No: 2-17 Shalon Street, Carlingford ## Proceedings No: 1-17 Shalon Street, Carlingford ## Proceedings No: 1-17 Shalon Street, Carlingford ## Proceedings No: 2-17 Shalon Street, Carlingford ## Proceedings No: 1-17 Shalon Street, Carlingford ## Proceedings No: 1-17 Shalon Street, Carlingford ## Proceedings No: 2-17 Shalon Street, Carlingford ## Proceedings No: 1-17 Shalon Street, Carlingford Projects Pty U ## Street Shalon ## Proceedings No: 1-17 Shalon Street, Carlingford Projects Pty U ## Shalon #	27.			•
## Property Address: 1-1-7 Shirley Street, Carlingford Applicant: Shirley Street Projects Pty Ld ## Proceedings No: 1-27732/33 ## Property Address: 1-27832/35 ## Proceedings No: 1-27732/33 ## Property Address: 1-27832/35 ## Proceedings No: 1-27832/35 ## Proceedings No: 1-27832/35 ## Proceedings No: 1-28832/35 ## Proceedings No: 1-2		• Proceedings No.:	Issues:	Grahame Swain (Bushfire Consultant)
## Prospecty Address: 1:1-17 Shirley Street, Carlingford Screet of Applicant: Shirley Street Projects Pty 1:23 Applicant: Shirley Street Projects Pty 28. ## Proceedings No.: Outside Mainter ## Prospects: Good ## Prospects: Pty Ith Ralins Street, Carlingford Company Ith Ralins Street, Carlingford Projects Pty ## Prospects: Good ## Prospects: Applicant: Carlingford Projects Pty Utd ## Applicant: Carlingford Projects Pty ## Applicant: Carlingford Projects Pt			Bushfire Prone Land, Transport for NSW Concurrence, stormwater	
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Shirley Street Projects Pty Ltd Susus: **Proceedings No.: 127732/23 **Compatibility/Natural Ventilation/Character/Building Orientation, Envelope & Design/Understation of Prospects: Good **Property Address: 9-11 Thalion Street, Carlingford existing buildings, tree removal and construction of a 12 storey mixed use building comprising retail and restaurant on the ground floor, 91 **Applicant: Carlingford Projects Pty Ltd **Proceedings No.: 13483/23 **Vater/NSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water **Existing Mutter** **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 **Applicant: Carlingford Projects Pty Ltd **Applicant: Sisues: **Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Solictors: Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Status: Appeal is listed for Hearing on 22-24 May 2024 **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Solictors: Sparke Helmore **Status: Appeal is listed for hearing on 26-29 March 2024. **Status: Appeal is listed for hearing on 26-29 March 2024. **Status: Appeal is listed for hearing on 26-29 March 2024. **Status: Appeal is listed for hearing on 26-29 Marc			· · · · · · · · · · · · · · · · · · ·	
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Issues: Proceedings No.: Minimum Site Area/Height/Floor Space Ratio/Earthworks/Site Stephen Collier		1	, , , , , , , , , , , , , , , , , , , ,	
Issues:			aonmatea integratea development parsuant to the water wandsement	
Proceedings No.: Inimimum Site Area/Height/Floor Space Ratio/Earthworks/Site Compatibility/Natural Ventilation/Character/Building Orientation, Envelope Bo Bosign/ Landscaping/Traffic & Parking/Design Quality/stormwater/Accessibility Quality/stormwater/Accessibility Prospects: Good Property Address: 9-11 Thallon Street, Carlingford Carlingford Applicant: apartments above and 4 levels of basement parking for 134 vehicles. The proposal is a Nominated Integrated development pursuant to the Water Understand Unders	28.	Ltd		
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127732/23 Compatibility/Natural Ventilation/Character/Building Orientation, Envelope & Design/Landscaping/Traffic & Parking/Design Development Engineer Landscape Officer		Proceedings No -	Minimum Site Area/Height/Floor Space Ratio/Farthworks/Site	•
## Applicant: Prospects Odd Prospects Odd				
Existing Matter		12//32/23		
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Prospects: Good Property Address: 9-11 Thallon Street, Carlingford Accessibility Officer ScCP 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. Proceedings No.: 1sues: WaterNSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water Management Existing Matter Prospects: Good Prospects: Good Prospects: Good Prospects Good Accessibility Officer Prospects: Good Accessibility Officer Prospects: Good Accessibility Officer Status: Stephen Collier Internal experts: Planner Development Engineer Landscape Officer Accessibility Officer Status: Appeal is listed for Hearing on 22-24 May 2024 Internal experts: Stephen Collier Stephen Collier Status: Accessibility Officer Status: Accessibility Officer Frospects: Good Accessibility Officer Status: Appeal is listed for Hearing on 26-29 March Accessibility Officer Status: Appeal is listed for Hearing on 26-29 March Accessibility Officer Status: Appeal is listed for Hearing on 26-29 March Accessibility Officer Status: Appeal is listed for Hearing on 26-29 March Accessibility Officer Status: Appeal is listed for Hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed for hearing on 26-29 March Accessibility Officer Status: Appeal is listed		Existing Matter		Planner
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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. Proceedings No.: 13483/23 Existing Matter Solicitors: Sparke Helmore External experts: Stephen Collier Internal experts: Staus: 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 building to allow for the integration of those towers. Proceedings No.: Proceedings No.: Staus: 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 also were existing basement levels 1-5 for residential parking and various adjustments to the existing building to allow for the integration of those towers. Proceedings No.: Susues: Suart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) including: reflectivity, BASIX and ventilation Internal experts: Status: Appeal is listed for hearing on 26-29 March 2024. Status: Appeal is listed for hearing on 26-29 March 2024. Status: Appeal is listed for hearing on 26-29 March 2024. Scherial experts: Stuart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) Michael Eaddy (Wind) Internal experts:		9-11 Inalion Street,		Appeal is listed for Hearing on 22-24 May 2024
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Applicant: Carlingford Projects Pty Ltd				
29. Carlingford Projects Pty Ltd Management Act 2000. Proceedings No.: 13483/23 WaterNSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water Management Prospects: Good Maccessibility Officer Prospects: Good Maccessibility Officer 189 Macquarie Street, Parramatta. 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 Shafter Helmore 180. Proceedings No.: 180 Macquarie 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 Shafter Helmore 180 Proceedings No.: 180 Macquarie 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 Solicitors: Solicitors: Solicitors: Sparke Helmore External experts: Stuart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) Michael Eaddy (Wind) Existing Matter Prospects: Good Internal experts:		A contract		Callatana
Ltd Management Act 2000. Proceedings No.: 13483/23 WaterNSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water Management Existing Matter Prospects: Good Internal experts: Planner Development Engineer Landscape Officer Accessibility Officer Prospects: Good Street, Parramatta. Property Address: Appeal against the SCCPP refusal of a Section 8.3 Review, of the decision to Street, Parramatta. Papeal 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 Solicitors: JKN Parra P/L and Toplace basement levels 1-5 for residential parking and various adjustments to the existing building to allow for the integration of those towers. Proceedings No.: 1ssues: Sephen Collier Status: Appeal is listed for hearing on 26-29 March 2024. Solicitors: Solicitors: Sparke Helmore Pay Ltd existing building to allow for the integration of those towers. Proceedings No.: 1ssues: Suart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) including: reflectivity, BASIX and ventilation Michael Eaddy (Wind) Existing Matter Prospects: Good Internal experts:		Applicant:	· · ·	
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13483/23 WaterNSW Concurrence/Height/Floor Space ratio/ Natural Ventilation/Character/Building Orientation, Envelope & Design/Water Management Management Management Prospects: Good Property Address: 189 Macquarie Street, Parramatta. Papeal 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. Proceedings No.: 286544/22 Segment Seyellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design including: reflectivity, BASIX and ventilation WaterNSW Concurrence/Height/Floor Space ratio/Natural Planner Planner Development Engineer Landscape Officer Accessibility Officer Status: Appeal is listed for hearing on 26-29 March 2024. Solicitors: Sparke Helmore External experts: Stuart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) Michael Eaddy (Wind) Existing Matter Prospects: Good WaterNamagement Namagement Internal experts:				•
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• Applicant: JKN Parra P/L and Toplace Pty Ltd • Proceedings No.: 286544/22 • Prospects: Good • Applicant: JKN Parra P/L and Toplace Pty Ltd • Solicitors: Sparke Helmore Sparke Helmor		Street, rairaillatta.		LVLT.
JKN Parra P/L and Toplace Pty Ltd Proceedings No.: 286544/22 Design excellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design including: reflectivity, BASIX and ventilation Existing Matter Dissues: Design excellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design Michael Eaddy (Wind) Existing Matter Design excellence under the LEP, Height, FSR, SEPP 65 – design Quality, Wind shear impacts, Environmental Sensitive Design Michael Eaddy (Wind) Existing Matter Design excellence under the LEP, Height, FSR, SEPP 65 – design Quality, Wind shear impacts, Environmental Sensitive Design Michael Eaddy (Wind) Internal experts:				
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30. ● Proceedings No.: 286544/22 ■ Design excellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design including: reflectivity, BASIX and ventilation ■ Existing Matter ■ Prospects: Good ■ External experts: Stuart MacDonald (Planner) Stephen Collier (Urban Design) Che Wall (Environment Sensitive Design) Michael Eaddy (Wind) ■ Internal experts:		•	, -	Sparke Heimore
Proceedings No.: ■ Proceedings No.: 286544/22 ■ Design excellence under the LEP, Height, FSR, SEPP 65 – design quality, Wind shear impacts, Environmental Sensitive Design including: reflectivity, BASIX and ventilation ■ Existing Matter ■ Prospects: Good ■ Callier (Urban Design) Che Wall (Environment Sensitive Design) Michael Eaddy (Wind) ■ Internal experts:		Pty Ltd	existing building to allow for the integration of those towers.	
• Proceedings No.: 286544/22	30.			External experts:
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including: reflectivity, BASIX and ventilation Michael Eaddy (Wind) Existing Matter Prospects: Good Internal experts:			quality, Wind shear impacts, Environmental Sensitive Design	Che Wall (Environment Sensitive Design)
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		Existina Matter	Prospects: Good	Internal experts:
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	• Property Address:	Description:	Status:
	57 Ballandella Road,	Appeal against the deemed refusal of DA/70/2023 seeking approval for	Appeal is listed for first directions hearing on
	Toongabbie	demolition of existing structures and construction of a two storey,	10 October 2023.
		72 center based childcare facility.	
	Applicant:		Solicitors:
	J Group Pty Ltd	Issues:	Matthews Folbigg
31.		NSW Department of Education concurrence, Outdoor Unencumbered Space,	
	• Proceedings No.:	Acoustic Impacts, Landscaping and Deep Soil, Bulk, Scale, Character, Solar	External experts: Nil
	• 281662/23	Access, Overshadowing	
			Internal Experts: Planner Landscape Officer
	Existing Matter	Prospects: Good	

Land and Environment Court proceedings – Class 3 Appeal

- 1. Property address: Horwood Place, Parramatta (land)
- 2. **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 and relies upon its own valuation to dispute the amount.
- 3. **Issue**: How much compensation Council should be paid by Sydney Metro to Council for the land acquisition. There is a vast difference in each parties' valuations.
- 4. **Status**: The appeal was heard in February 2023 and is reserved for judgment. It is subject to separate advice.
- 5. **Solicitors**: Maddock (Council officer instructing Justin Day)

1.	Property Address:	Description: Penalty Notice – Court Elected – Fail to comply with	Matter is listed before Parramatta Local Court for
	138 Bungaree Road,	development control order	hearing 1 December 2023
	Pendle Hill		Solicitors:
	Defendant:	Prospects: Good	In-house Legal
	PHBS Pty Ltd	·	
	• Existing Matter		
2.	Property Address:	Description: Penalty Notice – Court Elected – Fail to comply with	Matter is listed before Parramatta Local Court for
	138 Bungaree Road,	development control order	hearing 1 December 2023
	Pendle Hill		Solicitors:
	Defendant:	Prospects: Good	In-house Legal
	PHBS Pty Ltd		
	• Existing Matter		
3.	Property Address:	Description: Penalty Notice – Court Elected – Development without	Hearing on 7 August 2022 vacated, as Council
	18 Kent Street Epping	development consent	officer was unavailable to provide the brief.
	Defendant:		New hearing date of 3 April 2024
	Liu	Prospects: Good	
	• Existing Matter		Solicitors:
4.	a Droporty Addross	Description: Penalty Notice – Court Elected – Development without	In-house Legal Hearing on 7 August 2022 vacated, as Council
4.	 Property Address: 18 Kent Street Epping 	development consent	officer was unavailable to provide the brief.
	• Defendant:		New hearing date of 3 April 2024
	Zhang	Prospects: Good	
	a Evicting Matter		Solicitors: In-house Legal
5.	• Existing Matter • Property Address:	Description: Penalty Notice – Court Elected – Development without	Hearing on 7 August 2022 vacated, as Council
•	18 Kent Street Epping	development consent	officer was unavailable to provide the brief.
	Defendant:		New hearing date of 3 April 2024
	Liu	Prospects: Good	
	• Existing Matter		Solicitors:
6.	Property Address:	Description: Penalty Notice – Court Elected – Dog attack	In-house Legal Matter is listed before Parramatta Local Court for
J.	255 Victoria Road,	Description : Charty Notice Court Elected - Dog attack	hearing 27 November 2023
	Rydalmere	Legal yet to be provided with the information and are yet to provide	- " "
	D. C. H. H.	a prospect advice	Solicitors:
	Defendant:Peter Leitmann	Prospects: TBA	In-house Legal
	• Existing Matter		
7.	Property Address:	Description: Dog Attack	Matter is listed before Parramatta Local Court for
			hearing on 5 March 2024
	Defendant:		Solicitors:
	Janet Addison	Prospects: Good	In-house Legal
	• Existing Matter		

8.	• Property Address: 3/437 Wentworth	Description: Non-Compliance Unauthorised Works	The matter is listed for mention 9 November 2023.
	Avenue, Toongabbi,		Solicitors:
	NSW 2146	Prospects: Good	In-house Legal
	• Defendant: Manthan Gandhi		
	• Existing Matter		

Finalised Matters

Finalised	<u>Finalised Matters</u>					
Land and	Environment Court proceeding	s – Class 1 Appeal				
1.	Toongabbie • Applicant: JS Architects Pty Ltd • Proceedings No.:	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 Accessibility Prospects: Good	Appeal was listed for judgment on 5 October 2023. Court upheld appeal with amended plans Solicitors: In-House Legal Services Counsel - Matt Harker External Experts: Nil Internal Experts: Planner Urban Designer Stormwater engineer Landscaper (horticulturalist/arborist) Environmental expert (biodiversity) Accessibility expert			
2.	Property Address: 14 Cunningham road, Telopea Applicant Tham Wan Wong Proceedings No: 229334/2022 Existing Matter	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	Status: Appeal is listed for hearing on 13-15 September 2023. Matter was listed for judgment on 11 October 2023 with Court upholding appeal in line with s34 conciliated agreement with amended plans. Solicitors: In-House Legal Counsel & External Barrister & External Panel Firm External Experts: Brendan Randles (Urban Design Expert) Matt Harker (Barrister) Internal Experts: Planner Traffic engineer Stormwater Engineer Accessibility Expert			
3.	Developments Pty Ltd	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 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. Issues: Site Compatibility Certificate/Heritage/Impact on Vineyard Creek/Noncompliance 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	Solicitors: Marsdens Law Group Counsel: Nick Eastman External experts: Brendan Randall – Urban Design Vanessa Hotham - Heritage Internal experts: Planner Senior Catchment Engineer			

Finalised Matters

Local Co	urt		
1.	• Property Address: 55-57 George Street, Clyde	Description: Development without consent	Matter is listed before Parramatta Local Court for sentencing 12 October 2023. Defendant found guilty, fine imposed of
	• Defendant: JOA Management	Prospects: Good	\$7,000.00 and costs of \$2500.00. Solicitors:
	Finalised Matter		In-house Legal

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:

Note: 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.

Land and Environment Court

Matter Type	Financi al Year	Total Cases	Wins	Losses	Comments
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	7	4	3	Four (4) of the appeals won were subject to s34 agreement with amended documents.
External	23/24	6	3	3	Two (2) of the appeals won were subject to s34 agreement with amended documents.

Local Court

Matter Type	Financi	Total	Wins	Losses	Comments
	al Year	Cases			
Inhouse	22/23	10	10	0	
External	22/23	0	0	0	
Inhouse	23/24	5	5	0	
External	23/24	0	0	0	

Costs to date are as follows:

City of Parramatta Land & Environment Court Costs Summary	July 2023
Land & Environment Court Costs - Class 1,2,3,4,5	\$239,205
Land & Environment Court Costs - External Experts (Consultants fees)	\$35,427
Local Court Prosecutions/Enforcements	\$0
Supreme Court Proceedings	\$0
Industrial Relations Commissions (IRC)	\$0
NSW Civil and Administrative Tribunal (NCAT)	\$0
Total	\$274,632