



CITY OF PARRAMATTA CURRENT LEGAL CASES & STATUS FOR THE PERIOD OF NOVEMBER 2024

Executive Summary

Advice on Council Court proceedings for the period of 1 November 2024 – 30 November 2024 inclusive, is contained in this report.

CURRENT LEGAL MATTERS STATISTICS – NOVEMBER 2024

LAND AND ENVIRONMENT COURT

Class 1 Appeals	20
Class 4 Appeals	2

LOCAL COURT

Council Prosecutions	14
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DISTRICT COURT

District Court Appeal	0
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NCAT

Administrative Appeal	2
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SUPREME COURT

Supreme Court Proceedings	2
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FEDERAL CIRCUIT COURT

Federal Circuit Court Appeal	0
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FINALISED LEGAL MATTERS STATISTICS – NOVEMBER 2024

LAND AND ENVIRONMENT COURT

Class 1 Appeals	1
Class 4 Appeals	1

LOCAL COURT

Council Prosecutions	3
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DISTRICT COURT

District Court Appeal	3
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NCAT

Administrative Appeal	0
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SUPREME COURT

Supreme Court Proceedings	0
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FEDERAL CIRCUIT COURT

Federal Circuit Court Appeal	0
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LAND AND ENVIRONMENT COURT PROCEEDINGS – Class 1 Appeals			
1.	<ul style="list-style-type: none"> • Property Address 63 Wigram Street, Harris Park • Applicant: Anandsinh Jhala t/as 9 Flavours • Proceedings No.: 00329199/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the refusal of Development Application No. DA/742/2023 seeking approval for food and drink premises with associated signage including outdoor dining to operate from 11am to 12 midnight, Monday to Sunday</p> <p>Issues: Permissibility/Heritage</p>	<p>Status: Appeal listed for s34 conciliation conference on 29 April 2025</p> <p>Solicitors: Marsdens</p> <p>External experts: Planner Heritage</p> <p>Internal experts: Nil</p>
2.	<ul style="list-style-type: none"> • Property Address 35 Surrey Street, Epping • Applicant: Sam Patrick Calleija • Proceedings No.: 00329199/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the refusal of Development Application No. DA/655/2023 for the Torrens title subdivision of the land into two lots and D associated civil works,</p> <p>Issues: Owners consent, stormwater management, residential subdivision</p>	<p>Status: Appeal is listed for a s34AA Conciliation Conference and Hearing on 26 February 2025</p> <p>Solicitors: In-house</p> <p>External experts: Nil</p> <p>Internal experts: Planner Engineer</p>
3.	<ul style="list-style-type: none"> • Property Address 183 Macquarie Street, Parramatta • Applicant: Rapisada Trust Pty Ltd • Proceedings No.: 142854/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the PLPP refusal of DA/837/2022 seeking approval for the construction of a 12-storey mixed use building containing ground floor retail/commercial space and 76 Co-Living rooms over one level of basement storage</p> <p>Issues: Site Suitability, Public Domain, Transport for NSW concurrence, site isolation, Amenity, Built Form and Accessibility</p>	<p>Status: Appeal is listed for online court communication on 1 November 2024</p> <p>Solicitors: In-house</p> <p>External experts: Nil</p> <p>Internal experts: Planner Urban Designer Accessibility Officer</p>
4.	<ul style="list-style-type: none"> • Property Address 74 Keeler Street Carlingford • Applicant: Zeng • Proceedings No.: 281070/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the PLPP's deemed refusal of DA/317/2024 seeking approval for the Demolition, tree removal and construction of a five storey Co-Living Housing development comprising 43 rooms over basement parking.</p> <p>Issues: Objectives of R4 zone, Maximum Building Height, Bulk & Scale, Design & Character, Stormwater Management, Earthworks, Biodiversity, Accessibility, Waste and Site Consolidation</p>	<p>Status: Appeal listed for s34 conciliation conference on 3 February 2025</p> <p>Solicitors: In-house</p> <p>External experts: Nil</p> <p>Internal experts: Planner Landscape Officer Urban Designer Biodiversity Officer Accessibility Officer Development Engineer</p>
5.	<ul style="list-style-type: none"> • Property Address 36 Keeler Street, Carlingford • Applicant: Legend Australian Pty Ltd • Proceedings No.: 281104/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the deemed refusal of DA/324/2024 seeking approval for the Demolition, tree removal and construction of a 5-storey Co-Living Housing development comprising 44 rooms over basement parking.</p> <p>Issues: Housing SEPP, Height, Flooding, Water Management/Stormwater, Built Form, Amenity, Accessibility, ESD,</p>	<p>Status: Appeal is listed for s34 conciliation conference on 21 January 2025</p> <p>Solicitors: In-house</p> <p>External experts: Nil</p> <p>Internal experts: Planner Landscape Officer Accessibility Officer Engineer</p>

			Urban Design
6.	<ul style="list-style-type: none"> • Property Address 212 Windsor Road, Winston Hills • Applicant: Urban Link Architects Pty Ltd • Proceedings No.: 316284/24 <p>EXISTING MATTER</p>	<p>Description: Appeal against the refusal of DAR/4/2024 in relation to the refusal of a Section 8.3 Review of the Determination of DA/1006/2022 for a Staged development comprising of Stage 1: Tree removal, boundary adjustment, retention of the existing dwelling and Torrens title subdivision into 2 lots; and Stage 2: Construction of a single storey attached dual occupancy development with Torrens title subdivision.</p> <p>Issues: Owners consent for easement/Lapsing of Appeal rights</p>	<p>Status: On 23 September 2024 the Council filed a Notice of Motion to strike out the proceedings on the basis the Applicant's appeal rights have lapsed. The Notice of Motion to Strike out hearing occurred on 17 October 2023 before Justice Pritchard – Decision Reserved</p> <p>Solicitors: In-house</p> <p>External experts: Nil</p> <p>Internal experts: Planner Engineer</p>
7.	<ul style="list-style-type: none"> • Property Address 23-27 Dixon Street, Parramatta • Applicant: Z Boys Pty Ltd • Proceedings No.: 229702/24 <p>EXISTING MATTER</p>	<p>Description: Appeal against the deemed refusal of DA/183/2024 seeking approval for the construction of a mixed-use building comprising of commercial tenancies, hotel accommodation, a 125-place childcare facility and basement carpark with 84 car parking spaces across two (2) basement levels</p> <p>Issues: Bulk & Scale, overshadowing, non-compliant indoor and outdoor play space, accessibility, flooding, stormwater, landscaping</p>	<p>Status: s34 Conciliation Conference occurred on 26 November 2024. Matter listed for Online Court on 20 December 2024.</p> <p>Solicitors: Sparke Helmore Lawyers</p> <p>External experts: Nil</p> <p>Internal experts: Planner Landscape Officer Accessibility Officer Catchment & Development Engineer</p>
8.	<ul style="list-style-type: none"> • Property Address: 99 Parramatta Road, Granville • Applicant: Granville 101 Pty Ltd • Proceedings No.: 218377/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the deemed refusal of DA/238/2024 seeking approval for the demolition of all existing structures across three allotments, tree removal and construction of a three-storey, one hundred and twenty (120) place childcare centre with basement carparking and associated landscaping, and amalgamation of three lots</p> <p>Issues: Objectives of the Site, non-compliant, design principles for Child Cares, Urban Design, Landscape and Deep Soil, Public Domain, Water NSW.</p>	<p>Status: Appeal listed for hearing on 24 and 25 March 2025.</p> <p>Solicitors: Sparke Helmore Lawyers</p> <p>External experts: N/A</p> <p>Internal experts: Planner Landscape Officer Accessibility Officer Catchment & Development Engineer</p>
9.	<ul style="list-style-type: none"> • Property Address: 15A-15B Moseley Street and 25-31 Donald Street, Carlingford • Applicant: Captag Investments Pty Ltd ATF Captag Investments Trust • Proceedings No.: 238881/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the SCCPP deemed refusal of DA/222/2024 seeking approval of a Staged Development comprising Stage 1 - Demolition of existing buildings, tree removal and construction of a part 4/part 7 storey residential flat building comprising 46 units and a shared basement carpark; Stage 2 - construction of a 6- storey mixed use development comprising an 80 place centre based child care centre and 45 residential units. A total of 22 residential units will be allocated for affordable housing in accordance with the requirements of the State Environmental Planning Policy (Housing) 2021.</p> <p>Issues: TBA</p>	<p>Status: Appeal is listed for s34 Conciliation Conference on 12 December 2024</p> <p>Solicitors: In-house</p> <p>External experts: N/A</p> <p>Internal experts: Planner</p>
10.	<ul style="list-style-type: none"> • Property Address: 31 Moses Way, Winston Hills • Applicant: Moses & Moses • Proceedings No.: 189730/2024 <p>EXISTING MATTER</p>	<p>Description: Appeal against the delegated refusal of DA/56/2023, seeks consent for construction of an attached two storey dual occupancy with basement, lifts, retaining walls and Torrens Title subdivision into 2 lots.</p> <p>Issues: Geotech/Engineering</p>	<p>Status: Section 34 Agreement filed - Judgment Reserved</p> <p>Solicitors: In-house</p> <p>External experts: Geotech Engineer</p> <p>Internal experts: Planner</p>

11.	<p>• Property Address: 54-56 Marshall Road, Telopea</p> <p>• Applicant: Martopea P/L</p> <p>• Proceedings No.: 170114/2024</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the delegated refusal of DA/115/2023, seeks consent for the Construction of a three storey 92 place childcare centre with 23 at grade parking spots.</p> <p>Issues: Height/Bulk & Scale/Design Excellence/Stormwater</p>	<p>Status: Decision reserved – Section 34 Conciliation agreement filed with the Court</p> <p>Solicitors: In-house</p> <p>External experts: TBA</p> <p>Internal experts: Planner Civil Engineer Urban Design Officer</p>
12.	<p>• Property Address: 32 Eastwood Avenue, Eastwood</p> <p>• Applicant: Lee</p> <p>• Proceedings No.: 189730/2024</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the imposition of conditions on development consent DAR/2/2024 which approved the construction of a new front fence driveway and landscaping works.</p> <p>Issues: Validity of condition</p>	<p>Status: Appeal is listed for Section 34A Conciliation Conference and Hearing on 18 – 19 December 2024</p> <p>Solicitors: In-house</p> <p>External experts: TBA</p> <p>Internal experts: Planner Heritage</p>
13.	<p>• Property Address: 30 Rickard Street, Carlingford</p> <p>• Applicant: Serobian</p> <p>• Proceedings No.: 90500/2024</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the deemed refusal of the Applicant's Development Application No. 6/2024 lodged with City of Parramatta Council on 10 January 2024 seeking consent for the demolition of existing buildings, tree removal and construction of a two storey 63 place child-care centre.</p> <p>Issues: Bulk, Scale and Design, Stormwater, Traffic, Earthworks, Accessibility</p>	<p>Status: Decision reserved – Section 34 Conciliation agreement filed with the Court</p> <p>Solicitors: In-house</p> <p>External experts: TBA</p> <p>Internal experts: Planner Development Engineer Traffic Engineer Accessibility Officer</p>
14.	<p>• Property Address: 102 Eastwood Avenue, Epping</p> <p>• Applicant: Pengcheng Xue</p> <p>• Proceedings No.: 2023/00348034</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against a Development Control Order – Demolition of unlawful internal fit out of garage and restore as a garage.</p> <p>Issues: Unlawful works</p>	<p>Status: Decision reserved – Section 34 Conciliation agreement filed with the Court</p> <p>Solicitors: In-house</p> <p>External Experts: Internal Experts: Certifier/Planner Compliance Officer Engineer</p>
15.	<p>• Property Address: 132 Victoria Road, Rydalmere</p> <p>• Applicant: J S Architects Pty Ltd</p> <p>• Proceedings No.: 200193/2023</p> <p>EXISTING MATTER</p>	<p>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.</p> <p>Issues: Height/FSR/Design Quality/landscaping/ ground water/geotechnical impacts of excavation</p>	<p>Status: Appeal is Part-Heard. Matter listed for hearing on 27 February 2025</p> <p>Solicitors: In-house</p> <p>External experts: Hydraulic and geotechnical engineering - Dr Daniel Martens</p> <p>Internal experts: Planner Landscape officer Urban designer</p>
16.	<p>• Property Address: 135 Victoria Road, North Parramatta</p> <p>• Applicant:</p>	<p>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 boarding house with basement parking and State Title Subdivision into 10 lots.</p> <p>Issues: Non-Compliance with Housing SEPP, Transport for NSW concurrence, Stormwater</p>	<p>Status: Appeal is listed for hearing on 25 and 26 March 2025.</p> <p>Solicitors: In-house</p>

	<p>JS Architects</p> <p>● Proceedings No.: 268375/23</p> <p>EXISTING MATTER</p>		<p>External Experts: Geotechnical Expert</p> <p>Internal Experts: Planner Development Engineer Traffic Engineer Urban Designer</p>
17.	<p>● Property Address: 21B-23 Barangaroo Road, Toongabbie</p> <p>● Applicant: Pankhurst & Anor</p> <p>● Proceedings No.: 293029/23</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the Delegated refusal of DA/961/2022 seeking approval for the demolition of existing childcare centre, tree removal and construction of a new 72 place childcare centre with at grade parking for 18 vehicles, signage and front fence. The development is Nominated Integrated Development pursuant to the Water Management Act 2000.</p> <p>Issues: Aims of LEP, Zone objectives, Site Suitability and Location, Character, Bulk & Scale, Landscaping, Acoustic and Visual Privacy, Noise and Air Pollution, Flooding, Traffic & Parking, Biodiversity.</p>	<p>Status: Hearing on 9-10 October 2024 – Decision reserved.</p> <p>Solicitors: Pikes & Verekers</p> <p>External experts: Nil</p> <p>Internal experts: Planning Biodiversity Landscape Flood Traffic</p>
18.	<p>● Property Address: 15, 29 and Carter Street, Lidcombe</p> <p>● Applicant: Australia YMCI Pty Ltd</p> <p>● Proceedings No.: 121594/2024</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the imposition of conditions on development consent DA/965/2022 which approved a 3 lot Torrens Title subdivision, bulk earthworks, remediation works, site infrastructure works including construction of a new road, utility services, drainage works and works to create a future public open space.</p> <p>Issues: Validity and modification of conditions</p>	<p>Status: NOM hearing listed for 23 January 2025 Hearing listed for 28 March – 1 April 2025</p> <p>Solicitors: Holding Redlich</p> <p>External experts: TBA</p> <p>Internal experts: Planner Civil Engineer</p>
19.	<p>● Property Address: 188 Church Street, Parramatta</p> <p>● Applicant: G & J Drivas Pty Ltd and Telado Pty Ltd</p> <p>● Proceedings No.: 00455119/2023</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the PLPP refusal of DA/960/2022 seeking approval for stage 1 concept proposal for six-storey cantilevered commercial extension atop the existing heritage listed, Murray's building, future part demolition of the Heritage item including internal realignment, amendments to the shop fronts, and part removal of the roof.</p> <p>Issues: Heritage/FSR/Flood/Bulk and Scale</p>	<p>Status: Hearing on 12-14 November 2024 – Decision reserved</p> <p>Solicitors: Marsdens Law Group</p> <p>External Experts: Vanessa Holtham - Heritage Consultant Stephen Collier – Urban Design Consultant</p> <p>Internal Experts: Planner Catchment Engineer Landscape Officer</p>
20.	<p>● Property Address: 38 Silverwater Road, Silverwater</p> <p>● Applicant: CK Design</p> <p>● Proceedings No.: 0006681/2024</p> <p>EXISTING MATTER</p>	<p>Description: Appeal against the SCCPP's Refusal of DA/737/2022 seeking consent for the demolition of existing structures and the construction of a mixed-use development comprised of retail premises, business/office premise, neighborhood shops, a pub and a childcare centre, over two levels of basement parking.</p> <p>Issues: Height/FSR/contamination/air quality/site suitability for childcare guidelines</p>	<p>Status: Hearing on 8-9 May 2025</p> <p>Solicitors: Marsdens Law Group</p> <p>External Experts: Andrew Norris (Contamination) Jane Barnette (Air Quality)</p> <p>Internal Experts: Planner</p>

LAND AND ENVIRONMENT COURT PROCEEDINGS – Class 4 Appeals			
1.	<ul style="list-style-type: none">• Property Address: 40 Greens Avenue, Oatlands• Respondent: Abi-Khattar• Proceedings No. 244872/24 EXISTING MATTER	Description: Appeal seeks a declaration from the Court that development was carried out on land in contravention of development consent DA/563/2018. Issues: Development not carried out in line with development consent	Status: Directions hearing on 7 February 2025 Solicitors: Sparke Helmore Lawyers External experts: Nil Internal experts: TBA
2.	<ul style="list-style-type: none">• Property Address: 4 Rosen Street, Epping• Respondent: Craddock• Proceedings No. 2024/00267318 EXISTING MATTER	Description: Failure to comply with removal order Issues: Removal orders	Status: Matter listed for directions hearing on 13 December 2024 Solicitors: Sparke Helmore Lawyers External experts: Nil Internal experts: TBA

LOCAL COURT			
1.	<ul style="list-style-type: none"> • Property Address: 77 Wigram Street, Harris Park • Defendant: SRP Enterprises Pty Ltd <p>NEW MATTER</p>	<p>Description: Penalty Notice – Court Elected Development without development consent – any other case</p>	<p>Mention on 3 February 2025</p> <p>Solicitors: Sparke Helmore Lawyers</p>
2.	<ul style="list-style-type: none"> • Property Address: • Defendant: Beechwood Homes (NSW) Pty Ltd <p>NEW MATTER</p>	<p>Description: Penalty Notice - Court Elected Pollute Waters</p>	<p>Status: Matter is listed for mention on 10 January 2025</p> <p>Solicitors: Sparke Helmore Lawyers</p>
3.	<ul style="list-style-type: none"> • Property Address: 30 Donald Street, Carlingford • Defendant: BCJ Pty Ltd <p>EXISTING MATTER</p>	<p>Description: Penalty Notice – Court Elected Not complying with requirement under Chapter 7</p>	<p>Mention on 17 February 2025</p> <p>Solicitors: In-house</p>
4.	<ul style="list-style-type: none"> • Property Address: 17 Quarry Road, Dundas Valley • Defendant: Discount Building Material Pty Ltd <p>EXISTING MATTER</p>	<p>Description: Penalty Notice – Court Elected Pollute waters</p>	<p>Mention on 11 November 2024</p> <p>Solicitors: Sparke Helmore Lawyers</p>
5.	<ul style="list-style-type: none"> • Property Address: 24 Hinkler Place, Ermington • Defendant: Krystal Homes Pty Ltd <p>EXISTING MATTER</p>	<p>Description: Penalty Notice – Court Elected Breach of development consent</p>	<p>Mention on 18 November 2024</p> <p>Solicitors: Sparke Helmore Lawyers</p>
6.	<ul style="list-style-type: none"> • Property Address: • Defendant: MJA SYSTEMS PTY LTD <p>EXISTING MATTER</p>	<p>Description: Penalty Notice - Court Elected Stop on/across driveway/any access to/from land</p>	<p>Mention on 20 November 2024</p> <p>Solicitors: Police Prosecutors</p>
7.	<ul style="list-style-type: none"> • Property Address: • Defendant: BROWN, Willie Marion <p>EXISTING MATTER</p>	<p>Description: Penalty Notice - Court Elected Disobey no stopping sign</p>	<p>Mention on 11 February 2025</p> <p>Solicitors: Police Prosecutors</p>
8.	<ul style="list-style-type: none"> • Property Address: • Defendant: SAAVEDRA, Andres Ivan Guacte <p>EXISTING MATTER</p>	<p>Description: Penalty Notice - Court Elected Obstruct access to ramp/path/passageway</p>	<p>Mention on 3 February 2025</p> <p>Solicitors: Police Prosecutors</p>
9.	<ul style="list-style-type: none"> • Property Address: 39 Fallon Street, Rydalmere • Defendant: Meadan Homes Australia 	<p>Description: Penalty Notice – Court Elected Pollute Waters – Class 1 Officer</p>	<p>Mention on 4 November 2024</p> <p>Solicitors: In-house</p>

	EXISTING MATTER		
10.	<ul style="list-style-type: none">• Property Address: 29 Eleanore Street, Rosehill• Defendant: Li Bo EXISTING MATTER	Description: Penalty Notice – Court Elected Development not in accordance with Development Consent	Mention on 27 February 2025 Solicitors: In-house
11.	<ul style="list-style-type: none">• Property Address: 17-19 Bridge Street, Rydalmere• Defendant: Theo Enterprises Pty Ltd EXISTING MATTER	Description: Penalty Notice – Court Elected Fail to comply with Development Control Order	Sentencing hearing adjourned to 11 November 2024. Solicitors: Sparke Helmore Lawyers
12.	<ul style="list-style-type: none">• Property Address:17-19 Bridge Street, Rydalmere• Defendant: Dennis Enterprises Pty Ltd EXISTING MATTER	Description: Penalty Notice – Court Elected Fail to comply with Development Control Order	Sentencing hearing adjourned to 11 November 2024. Solicitors: Sparke Helmore Lawyers
13.	<ul style="list-style-type: none">• Property Address: 3 Saunders Road, Ermington• Defendant: Meadan Homes EXISTING MATTER	Description: Penalty Notice – Court Elected Pollute Waters – Corporation – Class 1 Prospects: Good	Mention on 4 November 2024. Solicitors: In-house
14.	<ul style="list-style-type: none">• Property Address: 41 Hughes Avenue, Ermington• Defendant: M Projects Pty Ltd EXISTING MATTER	Description: Penalty Notice – Court Elected Development not in accordance with development consent - corporation	Hearing on 1 April 2025 Solicitors: Sparke Helmore Lawyers

NSW CIVIL AND ADMINISTRATIVE TRIBUNAL (NCAT)			
1.	<ul style="list-style-type: none">• Property Address: N/A• Applicant: Franz Boensch• Proceedings No.: NCAT Proceedings 00210974/2024 EXISTING MATTER	Description: Appeal of the decision under Public Spaces (Unattended Property) Act 2021	Status: Judgment reserved Solicitors: Matthews Folbigg
2.	<ul style="list-style-type: none">• Property Address: N/A• Applicant: Councillor Kellie Darley EXISTING MATTER	Description: Application under the Government Information (Public Access) Act 2009 (NSW)	Status: Next hearing date on 12 December 2024 Solicitors: Sparke Helmore

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SUPREME COURT			
1.	<ul style="list-style-type: none"> • Property Address: 14-16 Hill Road, Wentworth Point • Applicant: City of Parramatta Council • First Defendant: Transport for NSW • Second Defendant Valuer-General of NSW <p>EXISTING MATTER</p>	<p>Description: Judicial review application on valuation of land</p>	<p>Status: Directions hearing on 2 December 2024</p> <p>Solicitors: Allens Linklaters</p>
2.	<ul style="list-style-type: none"> • Property Address: N/A • Applicant: Councillor Kellie Darley • Second Defendant: Phil O'Toole <p>EXISTING MATTER</p>	<p>Description: Judicial review application</p>	<p>Status: Notice of Motion hearing on 26 February 2025</p> <p>Solicitors: HWL Ebsworth</p>

FINALISED MATTERS

LAND AND ENVIRONMENT COURT PROCEEDINGS – Class 1 Appeals			
1.	<ul style="list-style-type: none"> • Property Address: 61 Boundary Street, Parramatta • Applicant: Elias Nehme • Proceedings No.: 317097/23 • EXISTING MATTER 	<p>Description: Appeal against the Delegated deemed refusal of DA/823/2022 seeking approval for the demolition, tree removal and construction of a three-storey, 48 place childcare centre with basement parking for 12 vehicles.</p> <p>Issues: Bulk & Scale/Heritage/stormwater/accessibility</p>	<p>Status: Decision reserved – s34 conciliation agreement filed with the Court</p> <p>Solicitors: Matthews Folbigg</p> <p>External experts: Nil</p> <p>Internal experts: Planner Heritage Advisor Accessibility Officer Engineer</p>

LAND AND ENVIRONMENT COURT PROCEEDINGS – Class 4 Appeals			
1.	<ul style="list-style-type: none"> • Property Address: 9 McKay Street, Dundas Valley • Applicant: G & B Annechini • Proceedings No. 2024/00254003 <p>EXISTING MATTER</p>	<p>Description: Failure to comply with removal order</p> <p>Issues: Removal orders</p>	<p>Status: Matter listed for directions hearing on 25 November 2024</p> <p>Solicitors: Sparke Helmore Lawyers</p> <p>External experts: Nil</p> <p>Internal experts: TBA</p>

LOCAL COURT

1.	<ul style="list-style-type: none"> • Property Address: 17-19 Bridge Street, Rydalmere • Defendant: Theo Enterprises Pty Ltd • EXISTING MATTER 	Description: Penalty Notice – Court Elected Development does not accord with consent – any other case – Corporation	Mention on 11 November 2024 Solicitors: Sparke Helmore Lawyers
2.	<ul style="list-style-type: none"> • Property Address: 1 Sheehan Street, Wentworthville • Defendant: Dwellstone Pty Ltd • EXISTING MATTER 	Description: Penalty Notice – Court Elected Pollution of waters	Mention on 11 November 2024 Solicitors: Sparke Helmore Lawyers
3.	<ul style="list-style-type: none"> • Property Address: 73 Kent Street, Epping • Defendant: Buildmark Development Pty Ltd • EXISTING MATTER 	Description: Penalty Notice – Court Elected Breach of development consent	Mention on 11 November 2024 Solicitors: Sparke Helmore lawyers

DISTRICT COURT			
1.	<ul style="list-style-type: none"> • Property Address: 53 Primrose Avenue, Rydalmere • Applicant: Eric Kyung Kim • Proceedings No.: 2024/00079611 NEW MATTER 	Description: Appeal of severity of sentence in Local Court matter (Parties found guilty for failing to comply with a development control order)	Status: Hearing on 14 November 2024 Solicitors: Sparke Helmore Lawyers
2.	<ul style="list-style-type: none"> • Property Address: 53 Primrose Avenue, Rydalmere • Applicant: Duck Soo Kim • Proceedings No.:2024/00079373 NEW MATTER 	Description: Appeal of severity of sentence in Local Court matter (Parties found guilty for failing to comply with a development control order)	Status: Hearing on 14 November 2024 Solicitors: Sparke Helmore Lawyers
3.	<ul style="list-style-type: none"> • Property Address: 53 Primrose Avenue, Rydalmere • Applicant: Lisa Kim • Proceedings No.: 2024/00079482 NEW MATTER 	Description: Appeal of severity of sentence in Local Court matter (Parties found guilty for failing to comply with a development control order)	Status: Hearing on 14 November 2024 Solicitors: Sparke Helmore Lawyers

November 2024

Land and Environment Court – Class 1 Appeals

Matter Type	Financial Year	Total Cases	Wins	Losses	Comments
In-house	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.
In-house	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.
In-house	23/24	21	14	7	Nine (9) of the appeals won, were subject to s34 agreement with amended documents.
External	23/24	13	9	3	The eight (8) of the appeals won, were subject to s34 agreement with amended documents.
In-house	24/25	9	9	0	Nine (9) of the appeals won, were subject to s34 agreement with amended documents.
External	24/25	6	6	0	Of the six (6) appeals won, one was dismissed, and the others were subject to a s34 agreement with amended documents.

Land and Environment Court – Class 4 Appeals

Matter Type	Financial Year	Total Cases	Wins	Losses	Comments
In-house	23/24	0	0	0	
External	23/24	1	1	0	
In-house	24/25	0	0	0	
External	24/25	0	0	0	

Local Court

Matter Type	Financial Year	Total Cases	Wins	Losses	Comments
In-house	22/23	10	10	0	
External	22/23	0	0	0	
In-house	23/24	24	13	3	
External	23/24	2	3	0	
In-house	24/25	10	9	1	
External	24/25	3	3	0	