

# LITIGATION MATTERS 01 JUNE TILL 31 AUGUST 2023

## CLASS 1 PROCEEDINGS – LAND AND ENVIRONMENT COURT – ACTIVE MATTERS

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2020/0501 <b>Appeal</b> 2021/073128
<b>DESCRIPTION</b>	Adaptive reuse of, and alterations and additions to, an existing industrial warehouse and conversion into an architecturally designed residential flat building to accommodate 181 residential apartments above two levels of basement car parking.
<b>STATUS</b>	s34 Conciliation Conference terminated. Listed for second directions on 20 January 2022. Listed for Hearing 6-10 June 2022. Notice of Motion to seek leave to rely upon amended plans granted by Court with costs order in favour of Council on 6 July 2022. Adjourned and listed for further Hearing on 15-17 November 2022 - adjourned. Further Notice of Motion to seek to rely upon amended plans granted by Court with costs order in favour of Council on 19 December 2022. Hearing now listed for 26-28 April 2023. Adjourned. Listed for Notice of Motion to seek to rely upon amended plans with costs order 4 in favour of council. Case Management on 18 August 2023. Listed for Hearing on 3, 7 & 8 November 2023.

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2021/0437 <b>Appeal</b> 2021/228923
<b>DESCRIPTION</b>	Deemed refusal of DA/2021/0437 for a stage one concept application converting industrial warehouse into residential flat building.
<b>STATUS</b>	s34 Conciliation Conference terminated. Listed for second directions on 20 January 2022. Listed for Hearing 6-10 June 2022. Notice of Motion to seek leave to rely upon amended plans granted by Court with costs order in favour of Council on 6 July 2022. Adjourned and listed for further Hearing on 15-17 November 2022 - adjourned. Further Notice of Motion to seek to rely upon amended plans granted by Court with costs order in favour of Council on 19 December 2022. Hearing on 26-28 April 2023. Adjourned. Listed for Notice of Motion on 31 May 2023 and 30 June 2023. Listed for Hearing on 3, 7 & 8 November 2023.

<b>MATTER</b>	<b>Appwam Pty Ltd (No.2)</b> 301-305 Liverpool Road, Ashfield DA/2021/0776 <b>Appeal</b> 2022/304245
<b>DESCRIPTION</b>	Appeal against refusal of construction of a mixed use development comprising of ground level commercial premises with a 67 room boarding house with managers residence over a single level of basement parking.
<b>STATUS</b>	Directions hearing on 9 November 2022. Listed for s34 Conciliation Conference on 28 March 2023. Adjourned to 24 April 2023. Notice of Motion to rely upon amended plans with \$23,000 costs to be paid in favour of Council. Listed for 3 day Hearing on 26-28 September 2023.

<b>MATTER</b>	<b>SSTG Property Pty Ltd</b> 77 Glassop Street, Balmain DA/2022/0684 <b>Appeal</b> 2022/307191
<b>DESCRIPTION</b>	Deemed refusal of demolition of existing structures and construction of residential flat building including basement parking and landscaping works.
<b>STATUS</b>	Directions hearing on 11 November 2022. Listed for s34 Conciliation Conference on 17 March 2023. Adjourned till 24 April 2023. Terminated. Listed for Hearing on 25 & 26 September 2023.

<b>MATTER</b>	<b>TPG Telcom Pty Limited</b> Manning Street, Rozelle DA/2021/1143 <b>Appeal</b> 2022/326604
<b>DESCRIPTION</b>	Appeal against refusal of development of a telecommunications facility.
<b>STATUS</b>	Directions hearing on 29 November 2022. Listed for s34 Conciliation Conference on 21 March 2023. Terminated. Notice of Motion to seek leave to rely upon amended plans with costs order in the amount of \$20,000 in favour of Council. Listed for Hearing on 4-7 September 2023.

<b>MATTER</b>	<b>Edward Zaki</b> 373-383 Illawarra Road, Marrickville DA/2021/0941 <b>Appeal</b> 2022/343603
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions and change of use to centre-based child care facility.
<b>STATUS</b>	Directions hearing on 13 December 2022. Listed for s34 Conciliation Conference on 14 April 2023 adjourned to 10 May 2023. Terminated. Notice of Motion to seek leave to rely upon amended plans with costs order in the amount of \$6,000 in favour of Council. Directions hearing on 23 May 2023. Listed for Hearing on 4 & 5 October 2023.

<b>MATTER</b>	<b>C-Corp Nominees Pty Limited (was John Chidiac)</b> 5 Bruce Street, Ashfield DA/2022/0815 <b>Appeal</b> 2022/354227
<b>DESCRIPTION</b>	Deemed refusal of demolition of the existing building on the site and construction of a 2-storey residential flat building; comprising of 8 residential apartments and 2 levels of basement parking.
<b>STATUS</b>	Directions hearing on 19 January 2023. s34 Conciliation Conference on 14 April 2023. Terminated. Second directions with Notice of Motion on 19 May 2023. Listed for Hearing on 4 & 5 October 2023.

<b>MATTER</b>	<b>Julie Murphy</b> 491 Marrickville Road, Dulwich Hill DA/2021/0172 <b>Appeal</b> 2022/387841
<b>DESCRIPTION</b>	Appeal against refusal to demolish part of the premises and carry out alterations and additions to construct a five-storey mixed use, shop top housing development comprising a ground floor retail tenancy with boarding house above.
<b>STATUS</b>	Directions hearing on 14 February 2023. Listed for s34 Conciliation Conference on 14 June 2023. Adjourned to 27 July 2023, 10 August 2023, 17 August 2023 and 24 August 2023. Terminated. Listed for Directions on 5 September 2023.

<b>MATTER</b>	<b>Appwam Pty Ltd (No.3)</b> 55-63 Smith Street, Summer Hill DA/2021/1367 <b>Appeal</b> 2023/26375
<b>DESCRIPTION</b>	Appeal against refusal to demolish existing structures on site, and construction of a residential flat building containing 35 residential apartments including affordable housing, over 1 basement, parking level.
<b>STATUS</b>	Directions hearing on 23 February 2023. Listed for s34 Conciliation Conference on 19 June 2023. Terminated. Listed for Hearing on 5 & 6 February 2024.

<b>MATTER</b>	<b>Giovanni Cirillo</b> 2 Addison Road, Marrickville DA/2022/0064 <b>Appeal 2023/68440</b>
<b>DESCRIPTION</b>	Appeal against refusal to remove 20 on-site car parking spaces and use this outdoor area as a beer garden with associated works operating 10.00am – 12.30am (the following day), Monday to Wednesdays; 10.00am – 2.30am (the following day), Thursdays to Saturdays; and 11.00am-10.00pm Sundays.
<b>STATUS</b>	Directions hearing on 29 March 2023. Listed for s34 Conciliation Conference on 29 August 2023 and now adjourned to 24 September 2023.

<b>MATTER</b>	<b>Newey Holdings Pty Ltd</b> 41 May Street, St Peters DA/2022/0624 <b>Appeal 2023/78579</b>
<b>DESCRIPTION</b>	Appeal against refusal to construct a 3 storey commercial building with parking and associated landscaping.
<b>STATUS</b>	Directions hearing on 6 April 2023. Listed for s34 Conciliation Conference on 15 August 2023 and now adjourned to 8 September 2023.

<b>MATTER</b>	<b>Precision Planning Pty Ltd</b> 7 National Street, Rozelle DA/2022/0253 <b>Appeal 2023/90510</b>
<b>DESCRIPTION</b>	Appeal against refusal of ground and first floor alterations and additions to existing dwelling-house, new double garage at rear and associated works; proposal involves removal of encroachments over Nos. 5 and 9 National Street.
<b>STATUS</b>	Directions hearing on 12 April 2023. Notice of Motion on 20 April 2023. Listed for hearing on 1 & 4 September 2023.

<b>MATTER</b>	<b>Princeton Capstack Pty Ltd (No.2)</b> 73-75 Beattie Street, Balmain MOD/2023/0131 <b>Appeal 2023/215718</b>
<b>DESCRIPTION</b>	Appeal against deemed refusal of MOD/2023/0131 to DA/2021/0521 includes changes to excavation, footprint, levels, openings, parking, finishes and planting.
<b>STATUS</b>	Directions hearing on 3 August 2023. Listed for s34 Conciliation Conference on 7 September 2023.

<b>MATTER</b>	<b>APS Property Management Pty Ltd</b> 113 Dobroyd Parade, Haberfield DA/2022/0415 <b>Appeal 2023/108539</b>
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing building and construction of a warehouse units building (6 units) with associated car parking and landscaping.
<b>STATUS</b>	Directions hearing on 5 May 2023. Listed for s34 Conciliation Conference on 18 September 2023.

<b>MATTER</b>	<b>Carmelo &amp; Edward Ginardi</b> 2 Duke Street, Balmain East DA/2022/0850 <b>Appeal 2023/130810</b>
<b>DESCRIPTION</b>	Appeal against deemed refusal for the construction of a new 2 storey dwelling with basement storage.
<b>STATUS</b>	Directions hearing on 16 May 2023. Listed for s34AA Conciliation & Hearing on 1 & 2 November 2023.

<b>MATTER</b>	<b>Andrew Vincz</b> 212 Hawthorne Parade, Haberfield MOD/2023/0055 <b>Appeal</b> 2023/135718
<b>DESCRIPTION</b>	Appeal against deemed refusal of modification of approved studio to remove design change conditions and change flood requirement conditions.
<b>STATUS</b>	Directions hearing on 1 June 2023. Listed for s34 Conciliation Conference on 6 October 2023.

<b>MATTER</b>	<b>Nikolce Sekulovski</b> 595 King Street, Newtown DA/2022/0879 <b>Appeal</b> 2023/140210
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions to existing shop top housing including additional unit and rooftop open space.
<b>STATUS</b>	Directions hearing on 1 June 2023. Listed for s34 Conciliation Conference on 6 October 2023.

<b>MATTER</b>	<b>Youssef Moussa</b> 9 Silver Street, St Peters DA/2022/0163 <b>Appeal</b> 2023/140629
<b>DESCRIPTION</b>	Appeal against refusal to demolish existing improvements, subdivide the land into 2 Torrens Title lots and construct two dwelling houses with associated landscaping. There was a review REV/2023/0002 that was determined - refusal on 3 May 2023.
<b>STATUS</b>	Directions hearing on 1 June 2023. Listed for s34 Conciliation Conference on 6 October 2023.

<b>MATTER</b>	<b>Meron Wilson</b> 246 Catherine Street, Leichhardt DA/2022/0675 <b>Appeal</b> 2023/148437
<b>DESCRIPTION</b>	Appeal against refusal of DA/2022/0675 determined on 10 February, 2023 for the part demolition and ground and first floor alterations and additions to rear of existing dwelling-house.
<b>STATUS</b>	Directions hearing on 6 June 2023. Listed for s34AA Conciliation & Hearing on 15 & 16 November 2023.

<b>MATTER</b>	<b>Anabia Pty Ltd</b> 32-72 Alice Street, Rozelle DA/2021/1315 <b>Appeal</b> 2023/170784
<b>DESCRIPTION</b>	Appeal to a modification to the Court granted approval to change the operating hours of the approved indoor gym to 24/7.
<b>STATUS</b>	Directions hearing on 27 June 2023. Listed for s34 Conciliation Conference on 19 October 2023.

<b>MATTER</b>	<b>Rebel Property Group Pty Ltd</b> 37-47 Farr Street, Marrickville DA/2022/1164 <b>Appeal</b> 2023/201791
<b>DESCRIPTION</b>	Appeal against deemed refusal of DA/2022/1164 for demolition of existing structures on site, and construction of a residential flat building consisting of 51 apartments, a two storey basement carpark, and a publicly accessible open space and integrated development.
<b>STATUS</b>	Directions hearing on 20 July 2023. Listed for s34 Conciliation Conference on 24 October 2023.

<b>MATTER</b>	<b>Daniel Charles Cobden</b> 504 Darling Street, Rozelle DA/2023/0265 <b>Appeal</b> 2023/204400
<b>DESCRIPTION</b>	Appeal against deemed refusal of DA/2023/0265 for demolition of existing buildings and site remediation for the construction of a residential flat building comprising 16 units over four levels, basement carparking, storage and plant, landscaping driveway access and associated services.
<b>STATUS</b>	Directions hearing on 25 July 2023. Listed for s34 Conciliation Conference on 1 February 2024.

<b>MATTER</b>	<b>Studio Johnston Architects Pty Ltd</b> 4&6 St Marys Street, Balmain East DA/2023/0261 <b>Appeal</b> 2023/209866
<b>DESCRIPTION</b>	Appeal against deemed refusal for demolition of existing dwellings and structures, site amalgamation, and construction of a new four (4) storey dwelling with parking and swimming pool and associated works.
<b>STATUS</b>	Directions hearing on 21 July 2023. Listed for s34AA Conciliation & Hearing on 14 & 15 December 2023.

<b>MATTER</b>	<b>Talal Ghattas</b> 40 Collins Street, Annandale DA/2023/0135 <b>Appeal</b> 2023/216170
<b>DESCRIPTION</b>	Appeal against deemed refusal to demolition existing single dwelling, subdivision into two lots and construction of two semi-detached, two storey dwellings.
<b>STATUS</b>	Directions hearing on 3 August 2023. Listed for s34 Conciliation Conference on 14 February 2024.

<b>MATTER</b>	<b>Rye 187 Pty Ltd</b> 3-7 Crystal Street, Petersham DA/2017/00253 <b>Appeal</b> 2023/243807
<b>DESCRIPTION</b>	Appeal to the Court to modify a Court granted consent to modify a commercial/retail tenancy with an increase from 4 to 7 service apartments and an increase in 56 to 57 boarding house rooms.
<b>STATUS</b>	Directions hearing on 29 August 2023. Listed for s34 Conciliation Conference on 2 February 2024.

<b>MATTER</b>	<b>D-Studio Architects Pty Ltd</b> 48 Park Avenue, Ashfield DA/2023/0159 <b>Appeal</b> 2023/238698
<b>DESCRIPTION</b>	Appeal against deemed refusal of 2 two storey semidetached dwellings with a 2 lot subdivision.
<b>STATUS</b>	Directions hearing on 24 August 2023. Listed for s34AA Conciliation & Hearing on 26 & 27 February 2024.

<b>MATTER</b>	<b>Rahman Nominees Pty Ltd</b> 412-416 Liverpool Road, Croydon EPA/2023/0048 <b>Appeal</b> 2023/244510
<b>DESCRIPTION</b>	Appeal against a Council Order in respect of the operation of a car wash.
<b>STATUS</b>	Directions hearing on 30 August 2023. Listed for s34 Conciliation Conference on 29 January 2024.

<b>MATTER</b>	<b>KY Management Pty Ltd</b> 310-312 Marrickville Road, Marrickville DA/2023/0440 <b>Appeal</b> 2023/250186
<b>DESCRIPTION</b>	Appeal against a deemed refusal for additions and alterations to an existing three storey commercial building to create a mixed-use building (shop top housing) consisting of a retail space on the ground floor and residential apartments above including basement parking and landscaping.
<b>STATUS</b>	Directions hearing on 5 September 2023.

<b>MATTER</b>	<b>KSPI Pty Ltd</b> 599 King Street, Newtown DA/2023/0158 <b>Appeal</b> 2023/236107
<b>DESCRIPTION</b>	Appeal against a deemed refusal of partial demolition of existing structures and alterations and additions to a mixed use building to create a 2 part 3 storey shop top housing development comprising 2 commercial tenancies on the ground floor and 2 apartments on the upper levels.
<b>STATUS</b>	Directions hearing on 15 September 2023

<b>MATTER</b>	<b>Charbel Elias</b> 3 Emmerick Street, Lilyfield DA/2023/0477 <b>Appeal</b> 2023/260384
<b>DESCRIPTION</b>	Appeal against deemed refusal of 2 two storey semidetached dwellings with a 2 lot subdivision.
<b>STATUS</b>	Directions hearing on 06 September 2023.

<b>MATTER</b>	<b>Joseph Marando</b> 28 Bruce Street, Rozelle DA/2023/0419 <b>Appeal</b> 2023/277314
<b>DESCRIPTION</b>	Appeal against a deemed refusal of the demolition of a worker's cottage and construction of a new dwelling with a secondary dwelling.
<b>STATUS</b>	Directions hearing on 22 September 2023.

#### **CLASS 1 PROCEEDINGS – LAND AND ENVIRONMENT COURT - PENDING**

<b>MATTER</b>	<b>Precision Planning Pty Ltd</b> 7 National Street, Rozelle DA/2022/0253 <b>Appeal</b> 2023/90510
<b>DESCRIPTION</b>	Appeal against refusal of ground and first floor alterations and additions to existing dwelling-house, new double garage at rear and associated works; proposal involves removal of encroachments over Nos. 5 and 9 National Street.
<b>STATUS</b>	Directions hearing on 12 April 2023. Notice of Motion on 20 April 2023. Listed for hearing on 1&4 September 2023. Parties to enter into s34 Agreement. Pending <b>Closed</b>

<b>MATTER</b>	<b>Sam Hodzic (No.1)</b> 28 Empire Street, Haberfield BC/2022/0087 <b>Appeal</b> 2022/264511
<b>DESCRIPTION</b>	BIC for retention of skylights heritage conservation area.
<b>STATUS</b>	Directions hearing on 4 October 2022 vacated. Adjourned for Mediation on 10 February 2023 then Directions Hearing on 17 February 2023. Listed for Hearing on 22 & 23 June 2023. Judgment Reserved. <b>Closed</b>

<b>MATTER</b>	<b>Sam Hodzic (No.2)</b> 28 Empire Street, Haberfield DA/2021/0716 (POSS REV/2022/0014) <b>Appeal</b> 2022/266881
<b>DESCRIPTION</b>	Appeal against refusal of retaining existing unapproved roof skylights.
<b>STATUS</b>	Directions hearing on 28 September 2022. Adjourned for Mediation on 10 February 2023 then Directions Hearing on 17 February 2023. Listed for Hearing on 22 & 23 June 2023. Judgment Reserved. <b>Closed</b>

<b>MATTER</b>	<b>Princeton Capstack Pty Ltd (No.1)</b> 73-75 Beattie Street, Balmain MOD/2023/0008 <b>Appeal</b> 2023/94812
<b>DESCRIPTION</b>	Appeal against deemed refusal to modify condition 2 (d) of the LEC consent for DA/2021/0521 in order to permit the conveyor structure to be relocated within the building.
<b>STATUS</b>	Directions hearing on 26 April 2023. Listed for s34 Conciliation Conference on 27 July 2023. Parties to enter into a s34 Agreement. Pending <b>Closed</b>

<b>MATTER</b>	<b>Le Grandeur Pty Ltd</b> 310 Norton Street, Leichhardt DA/2022/0228 <b>Appeal</b> 2023/54799
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing 1-storey building and proposed new 4-storey shop top development with;;basement parking with 6 apartment units and commercial space at ground floor.
<b>STATUS</b>	Directions hearing on 17 March 2023 adjourned to 24 March 2023. Listed for s34 Conciliation Conference on 31 July 2023. Parties to enter into a s34 Agreement. Pending. <b>Closed</b>

<b>MATTER</b>	<b>Furusato Pty Ltd</b> 54-56 Darling Street, Balmain East DA/2022/0733 <b>Appeal</b> 2023/67256
<b>DESCRIPTION</b>	Appeal against deemed refusal of restoration and alterations and additions to the two existing terraces, including restoration of original facade, new street verandah to the Darling and Johnston Street frontages, retention of existing corner ground floor retail space and its basement, provision of two residential units, new landscaping and removal of stree tree on Darling Street.
<b>STATUS</b>	Directions hearing on 28 March 2023. Listed for s34 Conciliation Conference on 21 August 2023. Parties to enter into s34 Agreement. Pending. <b>Closed</b>

<b>MATTER</b>	<b>Ivy No.16 Pty Ltd</b> 6 Wortley Street, Balmain D/2017/622 <b>Appeal</b> 2023/144776
<b>DESCRIPTION</b>	Refusal of a Modification Application with respect to Development Application D/2017/622 as approved by the Land and Environment Court in LEC proceedings 2018/00010875.
<b>STATUS</b>	Directions hearing on 2 June 2023. Listed for s34 Conciliation Conference on 14 August 2023 and adjourned to 31 August 2023. Parties enter into a section 34 Agreement. Pending. <b>Closed</b>

**OTHER CLASS PROCEEDINGS – LAND AND ENVIRONMENT COURT**

<b>MATTER</b>	<b>Transport for New South Wales</b> 136 May Street, St Peters <b>Appeal 2022/217782</b>
<b>DESCRIPTION</b>	Class 3 entitlement to compensation in the amount of \$2M for interest in Lot 3 and 4 in DP 1273810 being part of the land remaining in certificate of title Lot 31 in DP 1208731.
<b>STATUS</b>	Directions hearing on 19 August 2022. Listed for s34 Conciliation Conference on 8 December 2022. S34 Conciliation Conference terminated. Listed for Second Directions Hearing on 10 February 2023. Listed for Hearing on 4 - 7 September 2023. Vacated. Now listed for second s34 Conciliation Conference on 8 December 2023 and Hearing on 12-16 February 2024.

<b>MATTER</b>	<b>Transport for New South Wales</b> 65 May Street, St Peters <b>Appeal 2022/267014</b>
<b>DESCRIPTION</b>	Class 3 entitlement to compensation in the amount of \$11M for interest in lots being part of Camdenville Park and loss of open space.
<b>STATUS</b>	Directions hearing on 7 October 2022. Listed for s34 Conciliation Conference on 31 January 2023. Adjourned to 27 February 2023 and now 14 April 2023. Terminated. Further directions on 16 June 2023. Listed for hearing on 4-12 April 2024.

<b>MATTER</b>	<b>Kristine Gibson</b> 11 Phoebe Street, Balmain DA/2021/0866 <b>Appeal 2022/335822</b>
<b>DESCRIPTION</b>	Class 4 Judicial Review - Appeal against IWC Local Planning Panel grant of consent. Council is fourth respondent.
<b>STATUS</b>	Submitting appearance but for costs by Council. Production of documents by Notice.

<b>MATTER</b>	<b>Brad &amp; Anastasia Woodhouse</b> 251 Annandale Street, Annandale DA/2022/0383 <b>Appeal 2023/74515</b>
<b>DESCRIPTION</b>	Class 4 Judicial Review - Appeal against IWC consent of DA/2022/0383. Council is fourth respondent.
<b>STATUS</b>	Submitting appearance but for costs by council. Production of documents by Discovery.

<b>MATTER</b>	<b>Robert Stewart &amp; Shuiping Zhou</b> 32 Kentville Avenue, Annandale <b>Appeal 2023/191039</b>
<b>DESCRIPTION</b>	Summons commencing an Appeal against a Commissioner's determination in respect of a tree removal.
<b>STATUS</b>	Directions hearing on 13 July 2023 and now 20 July 2023. Listed for hearing on 16 November 2023.



**CLOSED MATTERS – LAND AND ENVIRONMENT COURT**

<b>MATTER</b>	<b>Franco &amp; Barbara Bilotta</b> 93 Louisa Road, Birchgrove <b>Appeal 2021/167207</b>
<b>DESCRIPTION</b>	Class 4 Civil enforcement proceedings relating to the removal of unauthorised works of a dwelling. Refer to Class 1 Appeals.
<b>STATUS</b>	Listed for directions hearing on 4 February 2022 and adjourned to 18 March 2022, 8 April 2022 and now adjourned to 22 April 2022. Pre Trial Directions on 28 June 2023. Listed for hearing on 18-20 July 2023. Consent orders. Proceedings dismissed with Respondent to pay Council's costs of \$77,000. <b>Closed</b>

<b>MATTER</b>	<b>Construction Assignments Pty Ltd</b> 11-17 Hutchinson Street, St Peters DA/2021/1167 <b>Appeal 2022/254147</b>
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing structures and construction of new commercial building and remediation of the site.
<b>STATUS</b>	Directions hearing on 23 September 2022. Listed for s34 Conciliation Conference on 6 February 2023. Adjourned to 28 February 2023. Amended plans provided. Parties enter into s34 Agreement. Appeal upheld on 7 June 2023. <b>Closed</b>

<b>MATTER</b>	<b>Cracknell &amp; Lonergan Architects Pty Limited</b> 5 Leicester Street, Marrickville DA/2022/0716 <b>Appeal 2022/358732</b>
<b>DESCRIPTION</b>	Appeal against refusal to demolish part of the premises, Torrens title subdivision of the site into 2 allotments and carry out alterations and additions to provide 2 two storey dwelling houses with associated parking and landscaping.
<b>STATUS</b>	Directions hearing on 19 January 2023 vacated. Listed for s34 Conciliation Conference on 20 April 2023. Second directions hearing on 27 April 2023. Listed for hearing on 14-15 September 2023. Discontinue on 20 June 2023. <b>Closed</b>

<b>MATTER</b>	<b>Lauren Harding</b> 155 Australia Street, Camperdown MOD/2022/0001 <b>Appeal 2022/379649</b>
<b>DESCRIPTION</b>	Appeal against refusal to modify Determination No. 201500181 dated 8 July 2015 to increase the size and height of the additions, provide a lower ground car parking area, reconfigure the internal layout, modify the size and location of windows and other internal and external modifications.
<b>STATUS</b>	Directions hearing on 1 February 2023 vacated. Listed for s34AA Conciliation & Hearing on 23 & 24 May 2023. Amended plans provided. Parties enter into s34 Agreement. Appeal upheld on 16 June 2023. <b>Closed</b>

<b>MATTER</b>	<b>Stephen James</b> 14C Jane Street, Balmain DA/2022/0192 <b>Appeal 2022/329498</b>
<b>DESCRIPTION</b>	Deemed refusal of alterations and additions to convert existing building into dual occupancy, new swimming pool, external works, new garage off Fawcett Street.
<b>STATUS</b>	Directions hearing on 1 December 2022. Listed for s34AA Conciliation & Hearing on 26 & 27 April 2023. Adjourned to 18 May 2023 and now 29 May 2023. Amended plans provided. Parties enter into s34 Agreement. Appeal upheld on 21 June 2023. <b>Closed</b>

<b>MATTER</b>	<b>Jowono Investments Pty Ltd</b> 2 Harney Street, Marrickville DA/2022/0387 <b>Appeal</b> 2023/40660
<b>DESCRIPTION</b>	Appeal against refusal of the demolition of an existing dwelling and garage and construction of two storey dwelling house including garage and associated landscaping works.
<b>STATUS</b>	Directions hearing on 1 March 2023. Listed for s34AA Conciliation & Hearing on 11 & 12 July 2023. Parties enter into s34 Agreement. Appeal upheld on 2 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Aaron &amp; Louise Le Poidevin</b> 50 Church Street, Birchgrove MOD/2022/0233 <b>Appeal</b> 2023/39109
<b>DESCRIPTION</b>	Section 4.55(2) Modification of Development Consent DA/2022/0070 which approved alterations and additions to dwelling-house seeking to delete Condition 2(c) requiring a reduction in the roof pitch and height of the rear addition to reinstate the previously proposed 30 degree roof pitch.
<b>STATUS</b>	Directions hearing on 28 February 2023. Listed for s34AA Conciliation & Hearing on 4 July 2023. Parties enter into s34 Agreement. Appeal upheld on 3 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Nicholas Prilis</b> 51-53 Albert Street, Petersham MOD/2022/0310 <b>Appeal</b> 2023/123962
<b>DESCRIPTION</b>	Appeal against refusal of MOD/2022/0310 with respect to Development Application DA201800064, to modify the method of subdivision of the development including by removing the strata subdivision of the basement and manage the basement and associated easement through a Building Management System.
<b>STATUS</b>	Directions hearing on 17 May 2023. Listed for s34 Conciliation Conference on 30 June 2023. Parties enter into s34 Agreement. Appeal upheld on 9 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Warehouse on Park Pty Ltd</b> 17 Federation Road, Camperdown DA/2021/0001 <b>Appeal</b> 2022/377206
<b>DESCRIPTION</b>	Modification application to amend a Court Approval.
<b>STATUS</b>	Directions hearing on 31 January 2023. Listed for s34 Conciliation Conference on 22 May 2023. Terminated. Listed for mention on 23 June 2023, 7 July 2023 and 10 July 2023. Parties enter into s34 Agreement. Appeal upheld on 10 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Giovanna Fragomeli</b> 17 Mary Street, Lilyfield DA/2022/0169 <b>Appeal</b> 2022/338835
<b>DESCRIPTION</b>	Appeal against refusal of construction of two 3-level semi-detached dwellings with parking, each located on two approved Torrens Title lots and associated works.
<b>STATUS</b>	Directions hearing on 9 December 2022. Listed for s34 Conciliation Conference on 3 April 2023. s34 Terminated. Second directions hearing on 11 April 2023. Motion to amend plans with costs order - agreed or assessed. Listed for hearing on 9 & 10 August 2023. Parties enter into s34 Agreement. Appeal upheld on 16 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Xiaolong Zhu</b> 12 Dibble Avenue, Marrickville DA/2022/0721 <b>Appeal</b> 2023/20987
<b>DESCRIPTION</b>	Appeal against refusal of demolition of the existing dwelling and structures on the site. Subdivision of the site into two (2) lots and construction of a semi-detached dwelling on each lot.
<b>STATUS</b>	Directions hearing on 15 February 2023. Listed for s34AA Conciliation & Hearing on 29 & 30 June 2023. Appeal upheld on 29 August 2023. <b>Closed</b>

<b>MATTER</b>	<b>Alexandra &amp; Trent Thomas</b> 48 Tillock Street, Haberfield DA/2022/0405 Appeal 2022/346491
<b>DESCRIPTION</b>	Deemed refusal of alterations and additions to the existing dwelling including lower ground level and additions.
<b>STATUS</b>	Directions hearing on 9 December 2022. Listed for s34 Conciliation & Hearing on 8 & 9 May 2023. Parties enter into s34 Agreement. Appeal upheld on 1 June 2023. <b>Closed</b>

#### LOCAL COURT PROCEEDINGS – CIVIL ACTIVE

<b>MATTER</b>	<b>Beverly Seeto</b> 11 Hammond Avenue, Croydon Statement of Claim
<b>DESCRIPTION</b>	Debt Recovery
<b>STATUS</b>	Statement of Claim issued to recover a debt in the amount of \$126,000.

#### LOCAL COURT PROCEEDINGS – CRIMINAL ACTIVE

<b>MATTER</b>	<b>Samir Hodzic</b> 28 Empire Street, Haberfield <b>Appeal</b> 2022/59075-001
<b>DESCRIPTION</b>	Court Attendance Notice - Non Compliance - Development Control Order EPA/2020/0408 to remove unlawful skylights.
<b>STATUS</b>	Listed for mention/plea on 7 April 2022. Listed for further mention/plea 26 May 2022, 16 June 2022, 10 August 2022, 9 March 2023, 7 August 2023, 28 August 2023 and now 9 October 2023.

<b>MATTER</b>	<b>Tertia Harry</b> 739 Darling Street, Rozelle
<b>DESCRIPTION</b>	Court Attendance Notices (x3) relating to a dog attack on another dog.
<b>STATUS</b>	Listed for plea/mention on 5 July 2022. Not guilty plea. Listed for Hearing on 7 February 2023 and now part heard on 30 June 2023. Listed for Submissions on 17 August 2023 and Sentencing on 10 November 2023.

<b>MATTER</b>	<b>Pizzeria Pty Limited t/as Cyclops Pizza</b> 724 Parramatta Road, Petersham
<b>DESCRIPTION</b>	Court election of Penalty Infringement 3235211266 & 3235211275 in respect of breach of food safety standard.
<b>STATUS</b>	Listed for mention/plea on 27 February 2023. Not guilty plea. Listed for hearing on 3 November 2023.

<b>MATTER</b>	<b>Yan Deng</b> 16 Smith Street, Tempe
<b>DESCRIPTION</b>	Court election of Penalty Infringement Notices 3248471079, 3248471060 & 3248471050 in respect of a dog attack, dog not under effective control and dog not wearing a collar.
<b>STATUS</b>	Mention on 24 April 2023 (dog attack) Not guilty plea. Listed for hearing on 19 January 2024. Listed for mention (no collar and in public place) on 11 September 2023.

<b>MATTER</b>	<b>Matthew Craparotta</b> 60 O'Connor Street, Haberfield Ashfield Park
<b>DESCRIPTION</b>	Court election of Penalty Infringement 3248471243 & 3248471252 In respect of a failure to provide name and address related to a companion animal and dog not under effective control.
<b>STATUS</b>	Listed for mention on 24 July 2023 and now 19 October 2023.

<b>MATTER</b>	<b>Heiki Barone</b> 12 Liverpool Street, Ashfield
<b>DESCRIPTION</b>	Court Attendance Notice in respect of a failure to comply with an Order to upgrade an apartment complex for fire safety.
<b>STATUS</b>	Listed for mention/plea on 20 July 2023 and now 19 October 2023.

<b>MATTER</b>	<b>Erika Barone</b> 14 Liverpool Street, Ashfield
<b>DESCRIPTION</b>	Court Attendance Notice in respect of a failure to comply with an Order to upgrade an apartment complex for fire safety.
<b>STATUS</b>	Listed for mention/plea on 20 July 2023 and now 19 October 2023.

<b>MATTER</b>	<b>Matthew Littlepage</b> 20 Close Street, Canterbury
<b>DESCRIPTION</b>	Court election of Penalty Infringement 3248717149 in respect of a traffic offence.
<b>STATUS</b>	Listed for mention/plea on 3 July 2023. Listed for sentencing on 9 October 2023.

<b>MATTER</b>	<b>Frederick Jeanes</b> 20 Daniel Street, Leichhardt
<b>DESCRIPTION</b>	Court Attendance Notice in respect of a dog attack
<b>STATUS</b>	Listed for mention/plea on 17 August 2023. Adjourned to 21 September 2023.

<b>MATTER</b>	<b>Cheryl Farlow</b> 28 Carlton Street, Summer Hill
<b>DESCRIPTION</b>	Court Attendance Notice in respect of a failure to comply with a Council Order.
<b>STATUS</b>	Listed for mention/plea on 21 September 2023.

**CLOSED LOCAL COURT PROCEEDINGS**

<b>MATTER</b>	<b>Lacey Shields</b> 16A Tebbutt Street, Leichhardt
<b>DESCRIPTION</b>	Court election of Penalty Infringement 3191758433 in respect of an unregistered companion animal.
<b>STATUS</b>	Listed for mention on 10 July 2023. Defendant provides explanation and Council withdraws on 6 July 2023. <b>Closed</b>

<b>MATTER</b>	<b>Elizabeth Hurley</b> 8/15 Burnett Street, St Kilda
<b>DESCRIPTION</b>	Court elected Penalty Infringement 3191759313 in respect of failure to register a companion animal.
<b>STATUS</b>	Listed for mention/plea on 11 December 2023. Defendant provides explanation and Council withdraws on 13 July 2023. <b>Closed</b>

<b>MATTER</b>	<b>Mark Thompson</b> 125 Alice Street, Newtown
<b>DESCRIPTION</b>	Court Attendance Notice in respect of failure to comply with a Local Government Order to make safe and healthy a property.
<b>STATUS</b>	Listed for mention/plea on 13 July 2023. Convicted and fined \$850 and ordered to pay Council's costs of \$750. <b>Closed</b>

<b>MATTER</b>	<b>Manuela A De Rossi</b> 16 Ainsworth Street, Lilyfield
<b>DESCRIPTION</b>	Court election of Penalty 3248460198 in respect of a failure to provide Annual Fire Safety Statement.
<b>STATUS</b>	Listed for mention on 11 December 2023. Defendant provides statement so Council withdraws on 13 July 2023. <b>Closed</b>

<b>MATTER</b>	<b>Karen Kramer</b> Samuel Street, Tempe
<b>DESCRIPTION</b>	Court Attendance Notice in respect of dog attack.
<b>STATUS</b>	Mention on 17 August 2023. Section 10A conviction but no fine. Control orders made by the Court in respect of the control of the dog. Court orders costs to be paid in favour of Council in the amount of \$1,000. <b>Closed</b>

<b>MATTER</b>	<b>Perestrelo Investments Pty Ltd</b> 8 Wallace Avenue, Hurlstone
<b>DESCRIPTION</b>	Court election of Penalty 3248818064 in respect of a failure to provide Annual Fire Safety Statement.
<b>STATUS</b>	Listed for mention/plea on 21 August 2023. Convicted and fined \$8,800 and order to pay costs of \$1,000. <b>Closed</b>