

# LITIGATION MATTERS 21 JANUARY TILL 31 MAY 2023

## CLASS 1 PROCEEDINGS – LAND AND ENVIRONMENT COURT

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2020/0501
<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 on 31 May 2023

<b>MATTER</b>	<b>Anprisa Pty Ltd</b> 40-76 William Street, Leichhardt DA/2021/0437 Appeal 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 now listed for 26-28 April 2023. Adjourned. Listed for Notice of Motion on 31 May 2023

<b>MATTER</b>	<b>Sam Hodzic</b> 28 Empire Street, Haberfield BC/2022/0087
<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

<b>MATTER</b>	<b>Sam Hodzic (No:2)</b> 28 Empire Street, Haberfield DA/2021/0716 (POSS REV/2022/0014)
<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

<b>MATTER</b>	<b>Appwam Pty Ltd (No:2)</b> 301-305 Liverpool Road, Ashfield DA/2021/0776
<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. 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>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 vacated. Listed for s34 Conciliation Conference on 17 March 2023. Ajournd till 24 April 2023. Terminated. Liste for hearing on 25 & 26 September 2023

<b>MATTER</b>	<b>TPG Telcom Pty Limited</b> Manning Street, Rozelle DA/2021/1143
<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. Listed for hearing on 4-7 September 2023

<b>MATTER</b>	<b>Edward Zaki</b> 373-383 Illawarra Raod, Marrickville DA/2021/0941
<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. Directions hearing on 23 May 2023. Listed for hearing on 4-5 October 2023

<b>MATTER</b>	<b>Giovanna Fragomeli</b> 17 Mary Street, Lilyfield DA/2022/0169 Appeal 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. Listed for hearing on 9 & 10 August 2023

<b>MATTER</b>	<b>C-Corp Nominees Pty Limited (was John Chidiac)</b> 5 Bruce Street, Ashfield DA/2022/0815
<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>Cracknell &amp; Lonergan Architects Pty Limited</b> 5 Leicester Street, Marrickville DA/2022/0716
<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

<b>MATTER</b>	<b>Julie Murphy</b> 491 Marrickville Road, Dulwich Hill DA/2021/0172
<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

<b>MATTER</b>	<b>Xiaolong Zhu</b> 12 Dibble Avenue, Marrickville DA/2022/0721
<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

<b>MATTER</b>	<b>Appwam Pty Ltd (No:3)</b> 55-63 Smith Street, Summer Hill DA/2021/1367
<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

<b>MATTER</b>	<b>Aaron &amp; Louise Le Poidevin</b> 50 Church Street, Birchgrove MOD/2022/0233
<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 previous
<b>STATUS</b>	Directions hearing on 28 February 2023. Listed for s34AA Conciliation & Hearing on 5 & 6 July 2023

<b>MATTER</b>	<b>Jowono Investments Pty Ltd</b> 2 Harney Street, Marrickville DA/2022/0387 Appeal 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
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<b>MATTER</b>	<b>Furusato Pty Ltd</b> 54-56 Darling Street, Balmain East DA/2022/0733
<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
<b>STATUS</b>	Directions hearing on 28 March 2023. Listed for s34 Conciliation Conference on 21 August 2023

<b>MATTER</b>	<b>Le Grandeur Pty Ltd</b> 310 Norton Street, Leichhardt DA/2022/0228
<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

<b>MATTER</b>	<b>Giovanni Cirillo (now Hemmes Property Pty Limited)</b> 2 Addison Road, Marrickville DA/2022/0064
<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 Satur
<b>STATUS</b>	Directions hearing on 29 March 2023. Listed for s34 Conciliation Conference on 29 August 2023

<b>MATTER</b>	<b>Newey Holdings Pty Ltd</b> 41 May Street, St Peters DA/2022/0624
<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

<b>MATTER</b>	<b>Precision Planning Pty Ltd</b> 7 National Street, Rozelle DA/2022/0253
<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</b> 73-75 Beattie Street, Balmain MOD/2023/0008
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<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

<b>MATTER</b>	<b>APS Property Management Pty Ltd</b> 113 Dobroyd Parade, Haberfield DA/2022/0415 Appeal 2023/108539
<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>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 on 1 & 2 November 2023

<b>MATTER</b>	<b>Andrew Vincz</b> 212 Hawthorne Parade, Haberfield MOD/2023/0055
<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

<b>MATTER</b>	<b>Ivy No.16 Pty Ltd</b> 6 Wortley Street, Balmain D/2017/622
<b>DESCRIPTION</b>	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

<b>MATTER</b>	<b>Nikolce Sekulovski</b> 595 King Street, Newtown DA/2022/0879
<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

<b>MATTER</b>	<b>Youssef Moussa</b> 9 Silver Street, St Peters DA/2022/0163
<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

<b>MATTER</b>	<b>Nicholas Prilis</b> 51-53 Albert Street, Petersham MOD/2022/0310
<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 easemen
<b>STATUS</b>	Directions hearing on 17 May 2023

<b>MATTER</b>	<b>Meron Wilson</b> 246 Catherine Street, Leichhardt DA/2022/0675 Appeal 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

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

<b>MATTER</b>	<b>Construction Assignments Pty Ltd</b> 11-17 Hutchinson Street, St Peters DA/2021/1167
<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 to enter into s34 Agreement <b>Closed</b>

<b>MATTER</b>	<b>Alexandra &amp; Trent Thomas</b> 48 Tillock Street, Haberfield DA/2022/0405
<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 to enter into s34 Agreement <b>Closed</b>

<b>MATTER</b>	<b>Lauren Harding</b> 155 Australia Street, Camperdown MOD/2022/0001
<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 in
<b>STATUS</b>	Directions hearing on 1 February 2023 vacated. Listed for s34AA Conciliation & Hearing on 23 & 24 May 2023. Parties to enter into s34 Agreement. <b>Closed</b>

<b>MATTER</b>	<b>Stephen James</b> 14C Jane Street, Balmain DA/2022/0192
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<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 to enter into s34 Agreement. <b>Closed</b>

<b>MATTER</b>	<b>Warehouse on Park Pty Ltd</b> 17 Federation Road, Camperdown DA/2021/0001
<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. Amended plans provided. Parties to enter into s34 Agreement. <b>Closed</b>

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

<b>MATTER</b>	<b>Franco &amp; Barbara Bilotta</b> 93 Louisa Road, Birchgrove
<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. The proceedings have been timetabled in the preparation for the hearing with pleadings to be filed and served. Listed for further Mention 8 July 2022 and now listed on 16 September 2022. Listed for hearing on 18-20 July 2023

<b>MATTER</b>	<b>Transport for New South Wales</b> 136 May Street, St Peters
<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

<b>MATTER</b>	<b>Transport for New South Wales</b> 65 May Street, St Peters
<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

<b>MATTER</b>	<b>Kristine Gibson</b> 11 Phoebe Street, Balmain DA/2021/0866
<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. Notice to Produce served on Council. Directions hearing on 16 December 2022 vacated now listed for 24 February 2023. NoM on 16 March 2023. Second directions hearing on 21 April 2023

<b>MATTER</b>	<b>Brad &amp; Anastasia Woodhouse</b> 251 Annandale Street, Annandale DA/2022/0383
<b>DESCRIPTION</b>	Class 4 Judicial Review - Appeal against IWC consent of DA/2022/0383. Council is fourth respondent.
<b>STATUS</b>	Directions hearing on 21 April 2023. Submitting appearance but for costs by council. Discovery requested by Applicant

#### CLOSED MATTERS – LAND AND ENVIRONMENT COURT

<b>MATTER</b>	<b>Cohesive Planning Pty Ltd</b> 75 Heighway Avenue, Croydon DA/2022/0019 Appeal 2022/252587
<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing dwelling and construction of an attached dual occupancy comprising 2 x 3 bedroom, 2 storey dwellings with basement garaging and associated strata title subdivision.
<b>STATUS</b>	Directions hearing on 15 September 2022. Listed for s34AA Conciliation & Hearing on 19 & 20 January 2023. Parties enter into s34 Agreement. Amended plans to be filed. Appeal upheld on 07 February 2023. <b>Closed</b>

<b>MATTER</b>	<b>TGO Pty Ltd</b> 47 Chalder Street, Marrickville DA/2021/1215
<b>DESCRIPTION</b>	Appeal against refusal of subdivision into 3 torrens titles.
<b>STATUS</b>	Directions hearing on 9 June 2022. Adjourned directions hearing on 26 July 2022. Listed for s34 Conciliation Conference on 5 October 2022. Parties enter into a s34 Agreement. Judgment reserved. Applicant to pay council \$3,000 costs thrown away. Appeal upheld on 09 February 2023. <b>Closed</b>

<b>MATTER</b>	<b>Craig John Bryant</b> 9 Church Street, Balmain DA/2021/1063
<b>DESCRIPTION</b>	Appeal against consent of ground and first floor alterations and additions to existing attached dwelling-house.
<b>STATUS</b>	Directions hearing on 20 October 2022. Listed for s34AA Conciliation & Hearing on 17 February 2023. Parties enter into s34 Agreement. Appeal upheld on 17 February 2023. <b>Closed</b>

<b>MATTER</b>	<b>Michael Poynting</b> 156A Old Canterbury Road, Summer Hill DA/2022/0559
<b>DESCRIPTION</b>	Deemed refusal of alterations & additions to existing residential building for a single storey rear extension and two (2) new associated hardstand car spaces.
<b>STATUS</b>	Directions hearing on 17 October 2022. Listed for s34AA on 13 & 14 February 2023. Parties enter into s34 Agreement. Appeal upheld on 17 February 2023. <b>Closed</b>

<b>MATTER</b>	<b>JY Crown Pty Ltd</b> 305-313 Parramatta Road, Leichhardt DA/2021/0727
<b>DESCRIPTION</b>	Appeal against deemed refusal of the demolition of existing structures and construction of mixed use development.



<b>STATUS</b>	Directions hearing on 23 November 2021. Listed for a s34 Conciliation Conference on 3 March 2022. Adjourned to 24 March 2022. Conference terminated. Listed for second directions on 31 March 2022. Listed for Hearing on 2-4 August 2022. Amended plans submitted during proceedings. Costs order in Council's favour. Hearing vacated and relisted for Hearing on 2 & 3 November 2022. Judgment reserved. Appeal dismissed on 24 February 2023. <b>Closed</b>
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<b>MATTER</b>	<b>Exorno Investments Pty Ltd</b> 1 Charles Street, Enmore DA/2021/1381
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions to existing dwelling.
<b>STATUS</b>	Directions hearing on 4 November 2022. Listed for s34AA Conciliation & Hearing on 27 & 28 February 2023. Parties enter into s34 Agreement. Appeal upheld on 9 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Shixiong Ge</b> 23 Milton Street, North Ashfield DA/2021/0756
<b>DESCRIPTION</b>	Appeal against refusal of alterations and additions to an existing dwelling including rear extension.
<b>STATUS</b>	Directions hearing on 30 November 2022. Listed for s34AA Conference & Hearing on 9 & 10 February 2023. Judgment reserved. Appeal dismissed on 9 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>GFM Investment Group Pty Ltd</b> Precinct 75, St Peters DA/2021/0799 Appeal 2021/361705
<b>DESCRIPTION</b>	Deemed refusal seeking consent for partial demolition of existing buildings, tree removal, site establishment works, alterations to the existing north-south lane between Edith Street and Mary Street for temporary service and tenant vehicle access, enablin
<b>STATUS</b>	Directions hearing on 25 January 2022. s34 Conciliation Conference 18 May 2022 terminated. Directions hearing 25 May 2022. Notice of Motion to rely upon amended plans. Costs awarded in favour of Council - \$85,000. Listed for Hearing on 21 - 24 November 2022. Judgment reserved. Appeal upheld on 14 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>GFM Investment Group Pty Ltd</b> Precinct 75, St Peters DA/2021/0800
<b>DESCRIPTION</b>	Deemed refusal seeking consent for site preparation, demolition, excavation, remediation works construction of mixed-use development comprising commercial/light industrial, build-to-rent residential housing and community facilities involving construction
<b>STATUS</b>	Directions hearing on 25 January 2022. s34 Conciliation Conference 18 May 2022 terminated. Directions hearing 25 May 2022. Notice of Motion to rely upon amended plans. Listed for Hearing on 21 - 24 November 2022. Judgment reserved. Appeal upheld on 14 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Brooke &amp; Richard Hill</b> 2 Waite Avenue, Balmain DA/2022/0042
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<b>DESCRIPTION</b>	Appeal against refusal of demolition of existing building, construction of a two -storey dwelling, carpot and related landscaping.
<b>STATUS</b>	Directions hearing on 27 October 2022. Listed for s34AA Conciliation & Hearing on 9 & 10 March 2023 vacated Listed for 3 March 2023. Parties enter into s34 Agreement. Reserved Judgment. Appeal upheld on 15 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Jie Ma</b> 13 Durham Street, Dulwich Hill DA/2021/1328
<b>DESCRIPTION</b>	Deemed refusal of demolition of existing building. Torrens Title Subdivision of existing lot into 2 lots. Construction of a semi-detached dwelling with parking, landscaping and associated works.
<b>STATUS</b>	Directions hearing on 27 October 2022. Listed for s34AA Conciliation & Hearing on 6 & 7 March 2023. Parties enter into s34 Agreement. Appeal upheld on 28 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Victor Sahade</b> 95 Ramsay Street, Haberfield MOD/2022/0008
<b>DESCRIPTION</b>	Deemed refusal of a modification application of a consent for the operation of a carwash and associated structures.
<b>STATUS</b>	Listed for Mention on 28 April 2022. Listed for mediation on 4 July 2022. Mediation terminated. Listed for Hearing on 2-4 November 2022. Judgment reserved. Appeal dismissed on 29 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Martin Taylor</b> 42 Stafford Street, Marrickville DA/2022/0115
<b>DESCRIPTION</b>	Appeal against refusal to demolish part of the garage and carry out alterations and additions for the construction of a modified garage with a first floor studio.
<b>STATUS</b>	Directions hearing on 29 November 2022. Listed for s34AA Conciliation & Hearing on 30 & 31 March 2023. Discontinued on 30 March 2023. <b>Closed</b>

<b>MATTER</b>	<b>Haberfield Nominees NSW Pty Ltd</b> 95 Ramsay Street, Haberfield
<b>DESCRIPTION</b>	Class 4 civil enforcement proceedings relating to the demolition and removal of unauthorised structures and signs.
<b>STATUS</b>	Directions hearing on 27 May 2022, adjourned to 25 November 2022 and now stood over till 17 February 2023. Adjourned till 17 March 2023 and now 14 April 2023. Orders made to remove unlawful structure within 60 days. Costs awarded in the amount of \$5,500. Proceedings dismissed on 14 April 2023. <b>Closed</b>

<b>MATTER</b>	<b>Park Hermitage Pty Ltd</b> 23 Croydon Street, Petersham DA/2022/0308 Appeal 2022/277561
<b>DESCRIPTION</b>	Deemed refusal for full demolition and reconstruction of the residential flat building fronting Croydon Street (Building A).
<b>STATUS</b>	Directions hearing on 18 October 2022. Listed for s34 Conciliation Conference on 13 February 2023. Adjourned to 1 March 2023 then 28 March 2023. Parties enter into s34 Agreement. Appeal upheld on 14 April 2023. <b>Closed</b>

<b>MATTER</b>	<b>Ara Margossian</b> 79 Rowntree Street, Birchgrove DA/2022/0106
<b>DESCRIPTION</b>	Deemed refusal of the demolition of existing dwelling and construction of a new dwelling.
<b>STATUS</b>	Directions hearing on 4 October 2022. Listed for s34AA Conciliation & Hearing on 8 & 9 February 2023. Parties enter into s34 Agreement. Appeal upheld on 24 April 2023. <b>Closed</b>

<b>MATTER</b>	<b>Quarry Midco Pty Ltd</b> 24 Quarry Street, Tempe DA/2022/0082
<b>DESCRIPTION</b>	Deemed refusal for demolition of part of an existing garage and other site improvements and construct a 2 part 3 storey dwelling house with associated parking on the southernmost lot legally described as Lot 16 in DP 60083.
<b>STATUS</b>	Directions hearing on 27 October 2022. Listed for s34AA Conciliation & Hearing on 15 & 16 March 2023. Parties enter into s34 Agreement. Appeal upheld on 26 April 2023. <b>Closed</b>

<b>MATTER</b>	<b>Appwam Pty Ltd (No:1)</b> 2-4 the Esplanade, Ashfield DA/2021/0651
<b>DESCRIPTION</b>	Appeal against refusal of construction of a mixed use development comprising of ground level commercial premises and a 77 room boarding house with managers residence over basement parking.
<b>STATUS</b>	Directions hearing on 4 October 2022. Listed for s34 Conciliation Conference on 16 February 2023. Adjourned till 14 March 2023. Further adjourned till 28 March 2023 and now 13 April 2023. Parties enter into s34 Agreement. Upheld on 9 May 2023. <b>Closed</b>

<b>MATTER</b>	<b>Robert Stewart</b> 32 Kentville Avenue, Annandale TREE/2022/0662
<b>DESCRIPTION</b>	Appeal against Tree Minor Works Permit Application refusal 27 June 2022.
<b>STATUS</b>	Directions hearing on 25 October 2022. Listed for s34 Conciliation Conference on 18 November 2022. Adjourned for Hearing on 3 February 2023. Judgment reserved. Appeal dismissed on 19 May 2023. <b>Closed</b>

<b>MATTER</b>	<b>John Greenwood &amp; Associates Pty Ltd</b> 19 North Street, Balmain DA/2022/0029
<b>DESCRIPTION</b>	Appeal against imposition of Deferred Commencement Condition 1 approved 5 August 2022 for ground and first floor alterations and additions to existing dwelling-house, including new garage, new detached studio and shed structure to rear, and associated wo
<b>STATUS</b>	Directions hearing on 21 September 2022. Listed for s34AA Conciliation & Hearing on 15 & 16 February 2023. Parties to enter into s34 Agreement. Judgment reserved. Upheld on 23 May 2023. <b>Closed</b>

<b>MATTER</b>	<b>ES Engineering &amp; Design P/L</b>
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	226 Norton Street, Leichhardt DA/2022/0365
<b>DESCRIPTION</b>	Appeal against refusal of consolidation of existing two (2) lots, demolition of existing structures and construction of a dual occupancy with Strata titled subdivision and associated works.
<b>STATUS</b>	Directions hearing on 17 January 2023. Listed for s34AA Conciliation & Hearing on 10 & 11 May 2023. Amended plans provided. Parties enter into s34 Agreement. <b>Closed</b>

#### **ADDITIONAL LITIGATION – OTHER JURISDICTIONS**

<b>MATTER</b>	<b>A &amp; J Wong Holdings Pty Limited</b> Federal Court of Australia,
<b>DESCRIPTION</b>	Winding Up Application of the company for failure to pay a debt of \$83,000.
<b>STATUS</b>	Directions hearing on 1 February 2023. Company wound up with Liquidator appointed to recover debt. <b>Closed</b>

<b>MATTER</b>	<b>Andrew Chalk</b>
<b>DESCRIPTION</b>	Review of GIPA Notice of Decision dated 29 November 2022 - North Ashfield Urban Design Study
<b>STATUS</b>	First case conference 27 February 2023. Listed for Directions on 18 April 2023. Settled by agreement on 28 March 2023. Dismissed on 31 March 2023. <b>Closed</b>

#### **LOCAL COURT PROCEEDINGS**

<b>MATTER</b>	<b>Samir Hodzic</b> 28 Empire Street, Haberfield
<b>DESCRIPTION</b>	Non Compliance - Development Control Order EPA/2020/0408.
<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 and 9 March 2023. Council to provide brief to Court and Defendant by 15 September 2022. Reply on 06 October 2022

<b>MATTER</b>	<b>Tertia Harry</b> 739 Darling Street, Rozelle Appeal
<b>DESCRIPTION</b>	Prosecution (x3) related to a dog attack on another dog together with a Control Order.
<b>STATUS</b>	Listed for plea/mention on 5 July 2022. Listed for Hearing on 7 February 2023 and now part heard on 30 June 2023

<b>MATTER</b>	<b>Pizzeria Pty Limited t/as Cyclops Pizza</b> 724 Parramatta Road, Petersham
<b>DESCRIPTION</b>	Court election in respect of breaches of food safety standard. PIN 3235211266 & 3235211275
<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>	Dog attack Penalty 3248471079
<b>STATUS</b>	Mention on 24 April 2023

<b>MATTER</b>	<b>Lacey Shields</b> 16A Tebbutt Street, Leichhardt
<b>DESCRIPTION</b>	Unregistered companion animal Penalty 3191758433
<b>STATUS</b>	Listed for mention on 10 July 2023

<b>MATTER</b>	<b>Mark Thompson</b> 125 Alice Street, Newtown
<b>DESCRIPTION</b>	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

#### **CLOSED LOCAL COURT PROCEEDINGS**

<b>MATTER</b>	<b>Nahas Corp Two Pty Ltd</b>
<b>DESCRIPTION</b>	Breach of section 4.3 (a) of the Environmental Planning & Assessment Act 1979 by carrying out prohibited development. <b>Closed</b>
<b>STATUS</b>	Listed for plea/mention on 15 September 2022. Adjourned to 17 November 2022. Listed for sentencing on 16 December 2022 and now 17 February 2023. Convicted and fined \$8,000 and \$2,000 for professional costs

<b>MATTER</b>	<b>Evangelia Mavridis</b> 135 Mullens Street, Rozelle Appeal 2022/112531
<b>DESCRIPTION</b>	Failure to comply with an Order to make a building safe. <b>Closed</b>
<b>STATUS</b>	Listed for plea/mention 12 May 2022. Adjourned to 21 July 2022, 29 September 2022, 1 December 2022, 23 February 2023 and 9 March 2023. Withdrawin with Defendant mitigating on 9 March 2023

<b>MATTER</b>	<b>Ms Mai Kanhukamwe</b> 3E Gilpin Street, Camperdown
<b>DESCRIPTION</b>	Companion animal not registered as prescribed in October 2019. No longer has the cats as couldn't afford them during covid lockdown. <b>Closed</b>
<b>STATUS</b>	Listed for mention on 19 June 2023. Matter withdrawn on 10 May 2023

<b>MATTER</b>	<b>Mark Keirnan</b> 21 Leichhardt Street, Leichhardt
<b>DESCRIPTION</b>	Failure to comply with a Local Government Order to make safe and healthy lands. <b>Closed</b>
<b>STATUS</b>	Listed for plea/mention on 10 August 2022. Council to provide Brief of Evidence to Defendant by 15 September 2022. Reply on 6 October 2022. Listed for hearing on 16 May 2023. Convicted and fined \$330 and \$5,500 for professional costs

<b>MATTER</b>	<b>Jeremy Lethlean</b> 26 Parsons Street, Rozelle
<b>DESCRIPTION</b>	Annual Fire Safety Statement Penalty 3248652166 <b>Closed</b>

<b>STATUS</b>	Listed for mention on 10 July 2023. Matter withdrawn on 25 May 2023
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<b>MATTER</b>	<b>Jeccon Pty Limited</b> 23 May Street, St Peters
<b>DESCRIPTION</b>	Failure to comply with a Development Control Order to cease the unauthorised use of a building. <b>Closed</b>
<b>STATUS</b>	Listed for plea/mention on 10 August 2022. Adjourned to 22 August 2022 and now 20 October 2022. Listed for hearing on 30 May 2023. Plea of guilty entered . Fined \$35,000 and \$3,500 for costs. 30 May 2023