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## **CURRICULUM VITAE**

### **QUALIFICATIONS**

Bachelor of Economics, University of Sydney 1988  
Bachelor of Laws (Hons), University of Sydney 1990

### **BAR PRACTICE**

Called to Bar in February 1999  
Appointed Senior Counsel 2015

Areas of specialisation:

- Planning, development and environmental
- Land valuation and compulsory acquisition
- Civil enforcement – planning and local government
- Judicial review – planning and environmental
- Negligence and nuisance – regarding exercise of planning functions
- Property - especially easements – s88K applications and extinguishment, Access to Neighbouring Land Act, Trees (Disputes Between Neighbours) Act
- Building and construction
- Local Government including rating
- Criminal prosecutions – environmental and planning
- Coronial Inquiries
- Incorporated Associations

### **LIST OF REPORTED AND SIGNIFICANT CASES**

Planning, development and environmental

*Baron Corporation Pty Limited v City of Sydney* [2019] NSWLEC 61  
*AMT Planning Consultants Pty Ltd t/as Coastplan v Central Coast Council* [2018] NSWCA 289  
*Council of the City of Ryde v Sally Haddad* [2018] NSWCA 147  
*Abrams v Council of the City of Sydney (No 2)* [2018] NSWLEC 85  
*Terra Ag Services Pty Ltd v Griffith City Council* [2017] NSWLEC 167  
*193 Liverpool Road Pty Limited v Inner West Council* [2017] NSWLEC 13  
*Randwick City Council v Micaul Holdings Pty Limited* [2016] NSWLEC 7; 225 LGERA 94  
*Sertari Pty Limited v Quakers Hill SPV Pty Limited* [2014] NSWCA 340  
*Zizza v Minister Administering the Water Management Act 2000* [2014] NSWLEC 170  
*Association for Better Living Inc. v Wyong Shire Council (No. 2)* [2014] NSWLEC 1239

*Greenwood v Warringah Council* [2013] NSWLEC 223; 200 LGERA 190  
*Greenwood v Warringah Council (No. 2)* [2013] NSWLEC 3; 196 LGERA 28  
*Coorey v Municipality of Hunters Hill* [2013] NSWLEC 1187  
*Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor* [2013] NSWLEC 1046;  
*The Northern Eruv Inc v Ku ring gai Council* [2012] NSWLEC 249; 192 LGERA 291  
*Davis v Gosford City Council* [2012] NSWLEC 62; 188 LGERA 314  
*Owners Strata Plan No 20226 v North Sydney Council* [2012] NSWLEC 148; 191 LGERA 72  
*Australian Leisure and Hospitality v Manly Council (no. 5)* [2012] NSWLEC 53; 211 LGERA 81  
*Marrangaroo East Pty Limited v Blayney Shire Council* [2011] NSWLEC 245; 186 LGERA 199  
*Jun Sik Kang v Blue Mountains City Council* [2011] NSWLEC 150; 185 LGERA 148  
*Australian Leisure and Hospitality v Manly Council (no.4)* [2009] NSWLEC 226; 172 LGERA 1  
*RES Southern Cross Pty Limited v Minister for Planning* [2008] NSWLEC 332; 166 LGERA 116  
*Broker v Shoalhaven City Council* [2008] NSWCA311; 164 LGERA 161  
*BYT Nominees Pty Limited v North Sydney Council* [2008] NSWLEC 164; 161 LGERA 77  
*Taralga Landscape Guardians Inc v Minister for Planning* [2007] NSWLEC 59; 161 LGERA 1

#### Land acquisition, compensation and valuation:

*Tolson v Roads and Maritime Services* [2014] NSWCA 161; 201 LGERA 367  
*Everest Project Developments Pty Limited v The Minister administering the EP&A Act* [2010] NSWLEC 88; 177 LGERA 43  
*NSW Golf Club Ltd v Valuer-General (NSW)* [2007] NSWLEC 40; 151 LGERA 360  
*Nasser v Roads and Traffic Authority* [2006] NSWLEC 562; 149 LGERA 289  
*Roads and Traffic Authority v JL & MM Muir* [2005] NSWCA 460; 143 LGERA 192  
*Minister administering EP&A Act v Bautovitch* [2005] NSWCA 350; 142 LGERA 331

#### Civil enforcement:

*Raphael Glaser v Silvana Smithwick* [2018] NSWLEC 206  
*Snow Culture Pty Limited v Minister for Planning* [2017] NSWLEC 125  
*Kempsey Shire Council v Slade* [2015] NSWLEC 135; 214 LGERA 214  
*Blacktown City Council v The Penetrators Pty Limited* [2013] NSWLEC 169; 199 LGERA 73

#### Judicial Review:

*Community Association DP270447 v ATB Morton Pty Ltd* [2019] NSWCA 83  
*De Battista v Minister for Planning and Environment* [2018] NSWLEC 202  
*Bay Simmer Investments Pty Limited v State of NSW* [2017] NSWCA 135  
*Western Sydney Conservation Alliance Inc v Penrith City Council* [2011] NSWLEC 244; 83 NSWLR 402  
*Haughton v Minister for Planning* [2011] NSWLEC 217; 185 LGERA 375  
*Ku ring gai Council v Sydney West Joint Regional Planning Panel (No. 2)* (2010) NSWLEC 270; 181 LGERA 11  
*Marrickville Metro Shopping Centre v Marrickville Council* [2010] NSWCA 145; 174 LGERA 67  
*Hastings Point Progress Association v Tweed Shire Council* [2009] NSWCA 285; 168 LGERA 99  
*Baulkham Hills Shire Council v Ko-Veda Holiday Park Estate Ltd* [2009] NSWCA 160; 167 LGERA 395

*Northern Residential Pty Limited v Newcastle City Council* [2009] NSWCA 141; 75 NSWLR 192; 166 LGERA 352  
*Hastings Point Progress Association v Tweed Shire Council* [2008] NSWLEC 180; 160 LGERA 274  
*Castle Constructions Pty Limited v Director-General Department of Planning* [2007] NSWLEC 783; 157 LGERA 76  
*Peters v Manly Council* [2006] NSWLEC 676; 149 LGERA 321

Local Government Act and rating:

*Bobolas v Waverley Council (No. 4)* [2015] NSWCA 337  
*Barrak Corporation v Parramatta City Council* [2014] NSWLEC 177  
*Buyinbin Aboriginal Corp v Richmond Valley Council* [2005] NSWLEC 702; 143 LGERA 168

Prosecutions:

*Heatscape Pty Limited v Mahoney* [2017] NSWCCA 135; 223 LGERA 66  
*Cumberland Council v Habib* [2017] NSWLEC 18  
*Manly Council v Denis Leech (No. 2)* [2015] NSWLEC 204  
*Manly Council v Denis Leech* [2015] NSWLEC 149  
*Willoughby City Council v Screnci* [2015] NSWLEC 192; 213 LGERA 238  
*Plath v Fish* [2010] NSWLEC 144; 179 LGERA 386

Negligence – statutory authorities

*Owners Corporation SP 62254 v Rockdale City Council* [2008] NSWSC 392  
*Port Stephens Council v Booth* [2005] NSWCA 323; 148 LGERA 351  
*Bonnici v Ku ring gai Council* [2001] NSWSC 1124; 121 LGERA 1

Property

*Community Association DP270447 v ATB Morton Pty Ltd* [2019] NSWCA 83  
*Walker v Bridgwood* [2006] NSWSC 149; 12 BPR 25,537

Building and Construction

*Elias v Alloha Formwork & Construction Pty Limited* [2017] NSWSC 1546

Incorporated Associations

*Qube Holdings Ltd v Residents Against Intermodal Development Inc.* [2017] NSWCA 250; NSWLR 80  
*Rana & ors v Survery & ors* [2013] NSWCA 234

## **PRE-BAR EXPERIENCE**

1991 to 1994 Solicitor – Freehill Hollingdale & Page (now Herbert Smith Freehills)  
1994 to 1995 Solicitor - Mallesons Stephen Jaques (now King & Wood Mallesons)  
1995 to 1999 Solicitor and senior associate - Phillips Fox (now DLA Piper)

## **OTHER PROFESSIONAL ACTIVITIES**

2005 to date - Member of NSW Bar Exam Working Party

2006 to date - Coach in the Bar Practice Course

1999 to date - Member of Environment and Planning Law Association of NSW

2005 to 2006 - Member of NSW Bar Equal Opportunity Committee

2011 to 2017 - Managing editor, Environmental Law Reporter