

Address	WCC Officer	Status	Solicitor	Solicitors Ref.	Matter	Date Solic. engaged	CL decis.	Staff Rec.	Fees Pd Prv Yrs	Paid Jul 17-Jul 18	Total Costs to date	Solic.Est (excl. barrister/consult.)	Council's revised Estimate	Bal to be Paid	Total ltd Legal Cost Recovery
<b>LAND AND ENVIRONMENT COURT</b>															
10 Allambie Road	CWK	Class 1 development appeal against deemed (then refusal) refusal of a DA for dual occupancy development. Matter closed.	WWSB	KW:SC:2 17258	Class 1 Appeal - L&EC: 234706 of 2017. DA 2017/81.	15/08/2017	Approved by Ward Councillors meeting on 1/11/2017.	Approval		\$3,961	\$3,961	\$606	\$606	-\$3,355	
14 Artarmon Rd	COB	Point of law whether Modification 1 to the Concept Approval required Council consent as a land owner of Scott St (Modification 1 included Scott Street in the site area). Determined - 17/8/2017.	P&V	170427	Class 4 - Proceedings No. 2017/157679	8/06/2017	N/A	Defend		\$5,758	\$5,758				
165 Ashley Street	AL	Class 1 development appeal against deemed (then refusal) refusal of a DA for childcare centre. Matter heard before Commissioner Morris on 21-23 September 2016. Evidence heard from Traffic engineers, Arborist and landscaping experts, town planners and engineers. Appeal dismissed and development consent refused. Currently negotiating costs order. Refused by the Land and Environment Court on 11/10/2016. Matter completed.	HWLE	KMG-576982	Class 1 Appeal - L&EC 10883 of 2015 - Refusal of DA for construction of Child Care Centre. Case No. 2015/10883. DA 2015/149.	2/10/2015	Refusal	Refusal	\$119,922	\$696	\$120,618	\$90,783	\$123,617	\$2,999	
46 Boundary Street	JB	Matter listed for s34 conciliation conference on 17 October 2017. Conciliation conference terminated. After amended plans and information were provided. Amended plans were renotified until 7 December 2017. Matter listed for further conciliation conference before duty commissioner on Friday 22 December 2017 where Agreement was reached and orders made.	HWLE	KMG-663705	Class 1 Appeal - L&EC: 2017/173448. DA 2016/435.	21/06/2017	Refusal	Refusal		\$13,378	\$13,378	\$12,002	\$12,226	-\$1,152	
37 Coolawin Road	AT	Appeal Pending	WWSB	KW:SC:2 17257	Class 1 Appeal - Case No 214602 of 2017. DA 2016/478.	14/08/2017	Approval with additional condition	Approval		\$8,512	\$8,512	\$1,234	\$1,234	-\$7,278	
217 Eastern Valley Way	AL/ IA	Matter resolved by s34 Agreement on 3 February 2017. Orders sent to Council. Currently negotiating costs order made in favour of Council. Matter completed.  Letter sent to Council on 27 October 2017 and 3 January 2018 regarding draft letter of offer to Applicant for s97B costs. Awaiting response.	HWLE	KMG-598815	Class 1 Appeal - L&EC Proceedings 2016/154425. DA 2015/99.	22/03/2016	Refusal	Refusal	\$33,530	\$1,044	\$34,574	\$35,618	\$34,574	\$0	
52 Findlay Avenue	MS	Prosecution of illegal tree removal. Matter completed successfully.	WWSB	KW:UM:2 15623	Class 4 - Prosecution for Illegal Tree Removal	Dec-15	N/A	N/A. Completed.	\$17,096	\$17,593	\$34,689		\$15,000	-\$19,689	
18 Harden Av	MF	Matter conciliated on 6 June 2017 no resolution reached. Matter listed for hearing on 29 September 2017. Matter heard before Commissioner Chilcott on 29 September	HWLE	TZM-648096	Class 4 - Appeal Against Order	10/03/2017	Enforce Order	Enforce Order	\$9,727	\$4,942	\$14,668	\$19,624	\$19,624	\$4,956	
15A Hart Street	CP/AL	Notice of determination being considered. Council reviewing contentions. Matter completed.	WWSB	KW:SC:2 17043	Class 1 Appeal - 2017/41951 Refusal of Subdivision.	14/02/2017	Refusal	Refusal	\$11,049	\$8,437	\$19,486	\$19,384	\$19,384	-\$102	
15A Hart Street	PC	Under S56A Appeal. Matter ongoing.	WWSB	KW:SC:2 17245	Class 1 Appeal - L&EC: 232317 of 2017. DA 2016/355.	14/02/2017	Refusal	Refusal		\$3,887	\$3,887	\$13,000	\$20,420	\$16,533	
16-26 Linden Way	AV	Approved by L&E. Matter resolved.	WWSB	KW:SC:2 17061	Class 1 Appeal - Court Proceedings No. 59460 of 2017. DA 2016/457.	24/02/2017	Refusal Defend Appeal	Refusal	\$5,834	\$4,898	\$10,732				
1/70 Lower Gibbes Street	AV	Applicant withdrawn the appeal. The application was therefore refused. Matter closed.	WWSB	KW:SC:2 16238	Class 1 Appeal - Case No. 2016/223823. DA 2016/208.	21/07/2016	Refusal	Refusal	\$9,675		\$9,675		\$12,000	\$2,325	

Address	WCC Officer	Status	Solicitor	Solicitors Ref.	Matter	Date Solic. engaged	CL decis.	Staff Rec.	Fees Pd Prv Yrs	Paid Jul 17-Jul 18	Total Costs to date	Solic.Est (excl. barrister/consult.)	Council's revised Estimate	Bal to be Paid	Total ltd Legal Cost Recovery
57 Minimbah Road	SB	Council commenced prosecution action against owner and builder. Builder entered a plea of guilty to both charges and was sentenced on 16 February 2015. Builder convicted as charged and fined \$67,000. The proceedings against the owner have faced a legal challenge centred on whether the proceedings were commenced on time. The defendant was acquitted on 10 December 2015. Each party ordered to pay own costs. Matter closed.	Mallesons	02-5507-2563	Class 5 - L&EC Proceedings 1092 of 2013 - Unauthorised foreshore works	Feb-14	N/A	N/A. Completed.	\$279,914	\$234	\$280,148	\$154,000	\$300,000	\$19,852	
57 Minimbah Road	SB	Conviction overturned by the Court and fine to be paid back. Matter closed.	Mallesons		602-0026976 - Court of Criminal Appeal	Feb-Mar 2017	N/A	N/A. Completed.		\$92,017	\$92,017			-\$92,017	
130A Mowbray Road	MF	A development and consent history of the property was undertaken. Section 119J Notices have been sent to real estate agents which are currently or have previously managed the property and the responses received indicate a Building Certificate and DA will be lodged on return post 16 January 2016. Monitoring responses to statutory notices. Council awaiting building certificate/DA for use from owner/representative. Matter ongoing.	HWLE	KMG-595444	Unauthorised works	1/03/2016	N/A	N/A	\$7,894		\$7,894	\$23,861	\$23,894	\$16,000	
290 Mowbray Road & 66 & 66A Stafford Road	AT	Appeal against Council's deemed refusal of childcare centre for 85 children. S.34 conciliation conference occurred on 14 April 2015.  Hearing of the matter took place in December 2015. Expert evidence from traffic, heritage, landscape and arboricultural, and planning experts provided. Judgment delivered on 21 April 2016, and approved granted for 72 children on conditions on 1 July 2016.  Council has been awarded two separate 97B costs orders resulting from amendments to plans made by the applicant throughout the life of the proceedings.  Letters have been provided to residents informing them of final orders made. Currently considering costs settlement offer. Approved by the Land and Environment Court on 25/7/2016. Matter completed.	HWLE	JAC:5444 22	Class 1 Appeal - 85 place childcare centre. Case No. 2014/10064. DA 2014/567	18/02/2015	Refusal	Refusal	\$225,897	\$344	\$226,240	\$230,047	\$228,397	\$2,157	-\$4,648
73 Reserve Road	AV	Approved by L&E Court. Matter resolved	WWSB	KW:SC:2 17114	Class 1 Appeal - Case No. 2017/105243. DA 2016/354.	Apr-17	Refusal. Defend Appeal	Refusal	\$2,421	\$6,912	\$9,333	\$12,000	\$11,579	\$2,246	
58-70 Sailors Bay Road	CP/AL	Matter discontinued by Applicant with an order that the Applicant pay council's costs in the amount of \$7,000. Costs paid and cheque forwarded to Council of 5 April 2017. Matter closed.	HWLE	KMG-634552	Class 1 Appeal - Sailors Bay Road Child Care Centre. Case No. 2016/331962. DA 2016/317.	18/11/2016	Refusal	Refusal	\$56,326		\$56,326	\$44,673	\$52,229	-\$4,097	
147-151 Sailors Bay Road	PK	Prosecution for non-compliance with Development Consent. Matter closed.	WWSB	KW:SC:2 16120	Class 1 Appeal - mixed use development. Case No. 2017/244782.	11/07/2016		Approval	\$27,599		\$27,599	\$40,000	\$40,000	\$12,401	
147-151 Sailors Bay Road	JB	Matter listed for hearing on 21 December 2017. Residents notified of date and process. Consultant John Brunton briefed to provide planning evidence. Hearing on 21 December 2017. Judgment delivered on 15 January 2018. Appeal upheld with amended plans and conditions to be provided.	HWLE	KMG-672395	Class 1 Appeal - mixed use development. LEC 2017/244782. DA 2014/419/B.	18/08/2017	Refusal	Approval		\$4,069	\$4,069	\$8,982	\$9,251	\$5,182	

Address	WCC Officer	Status	Solicitor	Solicitors Ref.	Matter	Date Solic. engaged	CL decis.	Staff Rec.	Fees Pd Prv Yrs	Paid Jul 17- Jul 18	Total Costs to date	Solic.Est (excl. barrister/consult.)	Council's revised Estimate	Bal to be Paid	Total ltd Legal Cost Recovery
46 Strathallen	AL	Class 1 Appeal for mixed use shop top housing development in Northbridge Town Centre. Matter listed for conciliation conference on 7 February 2017. Council has briefed external town planner expert Steven Layman and urban design expert Peter Smith. Conciliation Conference occurred 7 February 2017 and was adjourned for amendments. Agreement reached and entered 7 March 2017. Costs of amendments to be considered and negotiated. <i>Costs currently being negotiated. Matter completed</i>	HWLE	KMG-628686	Class 1 Appeal - Land & Environment Court Proceedings 2016/295688. DA 2016/55.	19/10/2016	Upheld with Amended Plans		\$35,745	\$154	\$35,899	\$33,010	\$40,550	\$4,651	
9 The Barbican	AT	This matter was dealt with by consent orders and has been approved by the Court. Matter resolved.	WWSB	KW:BO:2 17276	Class 1 - LEC No. 249854 of 2017. DA 2017/87.	23/08/2017	Deferred Commencement Approval	Deferred Commencement Approval		\$5,670	\$5,670				
16 Tulloh Street	SB	Two stop work order appeals were listed for conciliation conference on 16 and 17 February 2016 seeking to regularise unlawful works. Orders made in section 96 appeal approving modified proposal for house pursuant to section 34 agreement with parties. Appeal with respect to Stop Work Order No. 2808 discontinued as a consequence of that approval. Appeal with respect to Stop Work Order No.2804 resolved by way of section 34 agreement. Section 121B orders made by Court requiring resident to carry out works in back yard in accordance with plan put forward by Council as acceptable on merits. Order made 24 June 2016. Matters now finalised.	HWLE	KMG-572930	Class 4 - Stop Work Order - unlawful works. Case No. 2015/10739. DA 2012/406/A.	21/09/2015	Approval with additional conditions	Approval with additional conditions	\$19,816		\$19,816	\$20,000	\$20,000	\$185	
1 & 1A Walter St	PC	Class 1 deemed refusal of Childcare Centre for 222 Children at 1 and 1A Walter Street and 452 - 460 Willoughby Road Willoughby. Matter listed for conciliation conference on 4 August 2017 and hearing on 23 October 2017. Leave granted to rely on amended plans with appeal.	HWLE	KMG-663761	Class 1 Appeal - Deemed refusal of childcare centre. Case No. 2017/169864. DA 2016/263.	22/06/2017	Panel Decision Refusal	Refusal	\$1,155	\$58,748	\$59,903	\$42,822	\$53,198	-\$6,705	
20 Weemala Rd	BG	Building certificate appeal. Proceedings resolved through carrying out range of works agreed in section 34 conference. Consent orders hearing listed on 14 December 2017. Matter finalised.	HWLE	KMG-639046	Class 1 Appeal - LEC 2016/374201. DA 2014/78/C and BLC 2016/17.	4/01/2017	Defend appeals	Serve Orders, refuse Section 96 & refuse Building Certificate	\$8,780	\$1,365	\$10,145	\$16,674	\$16,851	\$6,706	
20 Weemala Rd	JF	Section 96 appeal - resolved by section 34 agreement entered 7 June 2017 with amendments to development agreed. Matter finalised.	HWLE	KMG-649048	Class 1 Appeal - LEC 2016/374202. DA 2014/78/C and BLC 2016/17.	4/01/2017	Defend appeals	Serve Orders, refuse Section 96 & refuse Building Certificate	\$17,559	\$269	\$17,560	\$22,629	\$22,829	\$5,269	
20 Weemala Rd	JF	Section 121B order appeal - resolved by section 34 agreement entered 7 June 2017. Matter finalised.	HWLE	KMG-639047	Class 1 Appeal - Land & Environment Court - Section 121ZK(4) EPAA 1979 Order 12 and 15 - LEC 2016/374203. DA 2014/78/C and BLC 2016/17.	4/01/2017	Defend appeals	Serve Orders, refuse Section 96 & refuse Building Certificate	\$7,430	\$36	\$7,466	\$12,283	\$12,466	\$5,000	
155-156 Willoughby Rd	AV	Class 1 appeal against deemed refusal of residential flat building, Willoughby Road, Crows Nest. Matter listed for Section 34 Conference on 7 April 2017.	HWLE	KMG-639555	Class 1 Appeal - Case No. 2016/383215. DA 2016/280.	11/01/2017	Refusal. Defend Appeal	Refusal	\$34,915	\$29,821	\$64,735	\$54,368	\$54,820	-\$9,915	
<b>Total - Land and Environment Court</b>									<b>\$932,283</b>	<b>\$272,744</b>	<b>\$1,204,759</b>	<b>\$907,599</b>	<b>\$1,144,749</b>	<b>-\$37,850</b>	<b>-\$39,648</b>
<b>SUPREME COURT</b>															
14 Artamon Rd	COB	Discontinued by proponent - 25/9/2017.	P&V	130536	Regarding execution of the Deed	4/05/2017	Position taken	Defend		\$36,699	\$36,699				
<b>Total - Supreme Court</b>										<b>\$36,699</b>	<b>\$36,699</b>				
<b>LOCAL COURT</b>															
	MT	Completed (Win)	Chatswood Law	NG:8813 8	Prohibited Development - Petco Aimal Supplies Pty Ltd					\$3,920	\$3,920				
	MT	Completed (Win)	Chatswood Law	NG:8817 6	Prosecution of Ji Liang Wang					\$2,005	\$2,005				

Address	WCC Officer	Status	Solicitor	Solicitors Ref.	Matter	Date Solic. engaged	CL decis.	Staff Rec.	Fees Pd Prv Yrs	Paid Jul 17- Jul 18	Total Costs to date	Solic.Est (excl. barrister/consult.)	Council's revised Estimate	Bal to be Paid	Total ltd Legal Cost Recovery
		MT	Completed (Win)	Chatswood Law	NG:88168	North Sydney Bus Charter P/L				\$2,485	\$2,485				
		MT	Completed (Win)	Chatswood Law	NG:88138	Prosecution PETCO Animal Supplies P/L			\$8,194		\$8,194				-\$9,091
		MT		Chatswood Law	88173	Kuba				\$7,566	\$7,566				
		MT		Chatswood Law	88183	Latif				\$3,745	\$3,745				
		RR		WWSB	KW:JC:217325	Prosecution of Breach of Food Act				\$1,088	\$1,088				
		MT		Chatswood Law	88192	North Shore Smash Repairs Pty Ltd				\$595	\$595				
		MT		Chatswood Law	88191	Payne Investments NSW Pty Ltd				\$630	\$630				
		MT		Chatswood Law	88178	Breach DA - Datlas Rahme Construction P/L				\$7,958	\$7,958				
		MT		Chatswood Law	88180	Datlas Rahme Construction P/L				\$560	\$560				
<b>Total - Local Court</b>										<b>\$8,194</b>	<b>\$30,552</b>	<b>\$38,746</b>			<b>-\$9,091</b>
<b>ADVICE</b>															
96	Chandos St	BG	Draft warning letter prepared seeking undertaking to address fire safety concerns. Council has allowed further time for a response addressing concerns to be provided. Council now dealing directly with owners corporation. Matter finalised.	HWLE	KMG-640376	Advice re fire safety order	18/01/2017		\$2,705	\$240	\$2,945				
144	Fullers Rd	PC	The application has been withdrawn	WWSB	KW:SC:217174	Advice on Development Standard in LEP	29/05/2017		\$170	\$1,524	\$1,694				
126	Greville St	MT	Compliance advice sought on Notice of Intention and Order served concerning hours of operation and potential breaches of consent. Documents received and verbal advice provided on enforcement prospects and options. Matter completed.	HWLE	KMG-637676	Compliance advise re Church of Scientology	20/12/2016		\$1,848		\$1,848				
		IA	Advice provided. Further instructions provided regarding potential for easement by prescription. Advice being prepared. Matter completed.	HWLE	KMG-612574	Advice re legal right to obtain access over drainage reserve in West Chatswood	1/07/2016		\$4,795	\$3,074	\$7,869				
		MT	Advice provided. Awaiting further instructions, if any. Matter completed.	HWLE	KMG-615380	Advice re Powers of Entry onto residential land/search warrants	Sep-16		\$4,008		\$4,008				
		COB	Advice re Proposed sale of portion of Scott Street Artarmon	Pikes & Verekers	130536	Proposed sale of portion of Scott Street Artarmon	19/01/2015		\$15,584		\$15,584				
	Talus Street Reserve	MT	Matter Resolved.	WWSB	KW:SC:217107	Advice on Parking Restriction on Crown Reserve	7/04/2017	Approved	Completed	\$1,527	\$1,527				
16	Tulloh Street	SB	Request to review notice of intention to issue order. Order considered. Advice provided regarding strategy, power of council to undertake works itself and potential means of recovering costs of doing so. Awaiting further instructions if any. Matter completed.	HWLE	KMG-586200	Advice re works on Council land	30/06/2016		\$2,360		\$2,360				
		SB	Legal advice provided to Council on 16 March 2017. No further legal advice required at this point in time. Matter completed.	Mallesons		602-0022852 The builder for 57 Minimbah Road Northbridge and owners claim illknowledge of wrong doings.	2/03/2017		\$3,141		\$3,141				
<b>Total - Advice</b>										<b>\$36,138</b>	<b>\$5,328</b>	<b>\$41,465</b>			

