

## SUMMONS



### COURT DETAILS

Court The Land and Environment Court of New South Wales  
Registry 225 Macquarie Street, Sydney  
Division Class 4  
Case number 41115108

### TITLE OF PROCEEDINGS

Applicant Conservation of North Ocean Shores Inc  
Respondent Byron Shire Council  
Second Respondent Billinudgel Property Pty Ltd

### FILING DETAILS

Filed for Conservation of North Ocean Shores Applicant  
Legal representative Environmental Defenders Office  
Principal Solicitor - Kirsty Ruddock,  
Legal representative reference SH:11606  
Contact name and telephone Sue Higginson - Solicitor - 02 6622 7381

### HEARING DETAILS

This summons is listed at 28 NOV 2008 @ 9.30am

### TYPE OF CLAIM

Planning Law – Judicial Review (s 123 Environmental Planning and Assessment Act 1979)

### RELIEF CLAIMED

- 1 A declaration that development consent to DA10.2007.462.1 in respect of development for a Proposed Temporary Place of Assembly with camping and associated infrastructure for the 2009 Splendour in the Grass Music Festival at Lot 46, 402, 403, 404 and 410 in Deposited Plan 755687, Lots 2 and 12 in Deposited Plan 848618, Lots 10 and 12 in Deposited Plan 875112, Lot 30 in Deposited Plan 880376 and Lots 101 and 102 in Deposited Plan 1001878 Pacific Highway, Wooyung, Jones Road, Wooyung, Pacific Highway, Ocean Shores, Tweed Valley Way, Yelgun by the First Respondent on 6 August 2008 is void and of no effect.



A copy of this document  
must be served  
by 13/11/08

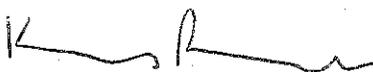
- 2 An order that the Second Respondent be restrained from acting upon the development consent by itself, its servants, agents or contractors.
- 3 An order that the First and Second Respondents pay the Applicant's costs of these proceedings.
- 4 Such other order as the Court thinks fit.

### SIGNATURE OF LEGAL REPRESENTATIVE

This summons does not require a certificate under section 347 of the Legal Profession Act 2004.

I have advised the Applicant that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature



Capacity

Solicitor on the Record

Date of signature

5 November 2008

### NOTICE TO RESPONDENT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the relief claimed in the summons and for the plaintiff's costs of bringing these proceedings.

You must enter an appearance before you can appear before the court.

### HOW TO RESPOND

**Please read this summons very carefully. If you have any trouble understanding it or require assistance on how to respond to the summons you should get legal advice as soon as possible.**

You can get further information about what you need to do to respond to the summons from:

- The court registry.
- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au).

Court forms are available on the UCPR website at [www.lawlink.nsw.gov.au/ucpr](http://www.lawlink.nsw.gov.au/ucpr) or at any NSW court registry.

**REGISTRY ADDRESS**

Street address	225 Macquarie Street Sydney
Postal address	GPO Box 3565 SYDNEY NSW 2001
Telephone	9113 8200

**FURTHER DETAILS ABOUT APPLICANT****APPLICANT**

Name **Conservation of North Ocean Shores Inc**  
 PO Box 828  
 Billinudgel  
 NSW 2483

**Legal representative for applicant**

Name Kirsty Ruddock – Principal Solicitor  
 Practising certificate number 22704  
 Firm The Environmental Defender's Office  
 Contact solicitor Sue Higginson  
 Address 1/71 Molesworth Street  
 PO Box 212  
 Lismore NSW 2480  
 Telephone 6622 7381  
 Fax 6621 3355  
 Email [sue.higginson@edo.org.au](mailto:sue.higginson@edo.org.au)

**DETAILS ABOUT RESPONDENT****First Respondent**

Name **Byron Shire Council**  
 Address 70- 90 Station Street  
 PO Box 219  
 Mullumbimby  
 NSW 2482

**Second Respondent**

Name **Billinudgel Property Pty Ltd**  
 Address 55-59 Anderson Street  
 Fortitude Valley  
 QLD 4006