

LAND AND ENVIRONMENT COURT
26 NOV 2010
FILED
Init.

SUMMONS

COURT DETAILS

Court The Land and Environment Court of New South Wales
Registry 225 Macquarie Street, Sydney
Case number 10/40965

TITLE OF PROCEEDINGS

Applicant **Australians for Sustainable Development Inc**
First respondent **Minister for Planning**
Second respondent **Lend Lease (Millers Point) Pty Ltd**
Third Respondent **Barangaroo Delivery Authority**

FILING DETAILS

Filed for **Australians for Sustainable Development Inc**
Legal representative Kirsty Ruddock, Environmental Defender's Office (NSW) Ltd
Legal representative reference 1014929
Contact name and telephone BJ Kim Ph: 9262 6989

HEARING DETAILS

This summons is listed at 9-30am - 3 DEC 2010

TYPE OF CLAIM

Planning Law – judicial review proceedings (section 123 of the *Environmental Planning and Assessment Act 1979*)

RELIEF CLAIMED

1. In relation to the project approval for major project application MP10_0023 in respect of the bulk excavation and basement car parking (blocks 1-3) for Barangaroo (formerly East Darling Harbour) subject to the conditions in Schedule 2 of that approval purportedly granted by the First Respondent on or about 2 November 2010 under section 75J of the *Environmental Planning and Assessment Act 1979* (the **EP&A Act**) (the **MP10_0023 Project Approval**):
 - (a) a declaration that the MP10_0023 Project Approval is invalid and of no effect; and
 - (b) an order quashing the MP10_0023 Project Approval; and
 - (c) an injunction restraining the Second Respondent from undertaking the work provided for in the MP10_0023 Project Approval.

2 In relation to the project approval for major project application MP10_0047 in respect of Barangaroo Headland Park and Northern Cove (Early Works) subject to the conditions in Schedule 2 of that approval purportedly granted by the First Respondent on or about 8 November 2010 under section 75J of the EP&A Act (**the MP10_0047 Project Approval**):

- (a) a declaration that the MP10_0047 Project Approval is invalid and of no effect; and
- (b) an order quashing the MP10_0047 Project Approval; and
- (c) an injunction restraining the Third Respondent from undertaking the work provided for in the MP10_0047 Project Approval.

3 An order that the respondents pay the applicant's costs of the proceedings.

4 Such further or other orders as the Court thinks fit.

The Applicant seeks interlocutory orders in terms of 1(c) and 2(c) above.

SIGNATURE OF LEGAL REPRESENTATIVE

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

I have advised the plaintiff 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	26/11/10

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.

Court forms are available on the UCPR website at 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

