

Our Ref: JAC: 1069818

2 February 2022

Attn: To the Resident

Dear Resident

**Georges River Council ats Landgrowth One Pty Ltd ATF Landgrowth 001 Unit Trust
Land and Environment Court proceedings no. 2021/00199083 (Proceedings)
Property: 80 Boronia Parade, Lugarno (Site)**

We refer to our previous correspondence in relation to the abovementioned matter in which we act for Georges River Council.

As previously advised, the proceedings have been commenced by Landgrowth One Pty Ltd ATF Landgrowth 001 Unit Trust (**Applicant**) in the Class 1 jurisdiction of the Land and Environment Court (**Court**) against Council's deemed refusal of Development Application DA2021/0181 (**the Application**).

The Application seeks consent for the demolition of existing structures on and Torrens Title subdivision of the existing lot into thirty-one residential lots, construction of new roads, drainage and tree removal at 80 Boronia Parade, Lugarno (**the Site**).

We are instructed that you made a submission to Council in relation to the Application.

Section 34 conciliation conference

In our previous correspondence dated 14 September 2021, we informed you that the matter was listed for a section 34 conciliation conference before the Court on **1 February 2022 (Conference)**. The Conference did proceed on 1 February 2022 before Commissioner O'Neill of the Court. The parties had extensive discussions about numerous problems Council saw with the proposal, however, the parties did not reach agreement regarding the resolution of the matter and therefore the Conference has been terminated. Applicants often bring forward an amended application following termination and this is expected to be formally submitted to the Court. If this occurs, council will readvertise.

As previously advised discussions at the Conference are confidential and without prejudice and therefore cannot be disclosed by Council or the Applicant (or their respective consultants), to persons who were not in attendance at the Conference.

The proceedings are listed before the Court for further directions on 22 February 2022. The usual course, in accordance with the Court's practice note is that the matter will be listed for hearing at that directions hearing.

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We will write to you shortly after the directions hearing on 22 February 2022 to advise you of the next steps in the proceedings including the listing date for the hearing and how you may participate in same.

We thank you for your interest and participation in these proceedings so far and invite you to email us at **80boronia@hwle.com.au** should you have any further questions or concerns.

Yours faithfully



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