

Annexure 'A'

Form B (version 2)
LECR 3.2

APPLICATION CLASS 1**COURT DETAILS**

Court Land and Environment Court of New South Wales
Class 1
Case number

TITLE OF PROCEEDINGS

Applicant **HALCYON HOTELS PTY LTD (93 124 421 199)**
Respondent **WINGECARRIBEE SHIRE COUNCIL (49 546 344 354)**

FILING DETAILS

Filed for **Halcyon Hotels**, applicant
Legal representative Paul Lalich
HWL Ebsworth Lawyers
Legal representative reference PCN: 24847 Ref: PNL:947021
Contact name and telephone Kara Meziniec Tel. +61 2 9334 8555
Contact email plalich@hwle.com.au

HEARING DETAILS

This application is listed at am/pm on at Level 4, 225
Macquarie Street, Windeyer Chambers, Sydney.

TYPE OF CLAIM

Planning Law - appeal against deemed refusal of application for development consent (s8.17(1) *Environment Planning and Assessment Act 1979*)

DETAILS OF APPLICATION

Date or other identification of the decision, or other matter appealed against, objected to, complained of or referred or remitted to the court Appeal against the Respondent's deemed refusal of Development Application 20/1400 lodged on 10 June 2020 seeking consent for the proposed mixed use re-development at The Maltings, 2 Colo Street, Mittagong 2575.

Act or instrument under which the proceedings are brought s8.17(1) *Environment Planning and Assessment Act 1979*

ORDERS SOUGHT

1. The appeal is upheld.
2. Consent is granted to Development Application no. 20/1400 for the:
 - (a) mixed-use redevelopment of buildings M1 to M4 to accommodate uses including a bar, pool area, multi-purpose spaces suitable for exhibitions, functions, recreation activities and performances, as well as a hotel with associated ancillary uses, and ground improvements including landscaping, parking and vehicular access.
 - (b) demolition of the Maltster's Cottage and construction of a new studio/exhibition space; and
 - (c) concept approval for buildings M5 and M6 to accommodate residential, tourist and/or seniors living,at 2 Colo Street, Mittagong NSW 2575.
3. Any other Orders that the Court sees fit.

SIGNATURE

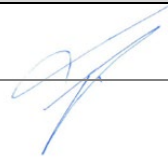
Signature of legal representative _____

Capacity

Solicitor on record

Date of signature

14/04/2021

**NOTICE TO RESPONDENT**

If your solicitor, barrister, authorised agent 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 application and for the applicant's costs of bringing these proceedings.

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

HOW TO RESPOND

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

You can get further information about what you need to do to respond to the application 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 LEC website at www.lawlink.nsw.gov.au/lec.

REGISTRY ADDRESS

Street address	Level 4, 225 Macquarie Street, Windeyer Chambers, Sydney
Postal address	GPO Box 3565, Sydney NSW 2001
Telephone	(02) 9113 8200

FURTHER DETAILS ABOUT Applicant

Applicant:

Name: **HALCYON HOTELS PTY LTD**
ABN: 93 124 421 199

Address: 36 Campbell Parade, Bondi Beach NSW 2026

Legal representative for applicant:

Name: Paul Lalich

Practising certificate number: 24847

Firm: HWL Ebsworth Lawyers

Contact solicitor: Kara Meziniec

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Electronic service address: kmeziniec@hwle.com.au

DETAILS ABOUT RESPONDENT

Respondent:

Name: **WINGECARRIBEE SHIRE COUNCIL**
ABN: 49 546 344 354

Address: Civic Centre, 68 Elizabeth Street, Moss Vale NSW 2577