

## SUMMONS

### COURT DETAILS

Court The Land and Environment Court of New South Wales  
Registry 225 Macquarie Street, Sydney  
Case number 10/40423

### TITLE OF PROCEEDINGS

Applicant **Ned Richard Haughton**  
First Respondent **Minister for Planning**  
Second Respondent **Macquarie Generation**

### FILING DETAILS

Filed for Ned Richard Haughton  
Legal representative Kirsty Ruddock, Environmental Defender's Office (NSW) Ltd  
Legal representative reference 1014792  
Contact name and telephone BJ BeomJin Kim (02) 9262 6989

### HEARING DETAILS

This summons is listed at 9.15L **25 JUN 2010**

### TYPE OF CLAIM

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

### RELIEF CLAIMED

225 Macquarie St Sydney  
(WINDEYER CHAMBERS)


- 1 In relation to the concept plan approval for Major Project Application No 09\_0118 for the development of the Bayswater B Power Station subject to the conditions in Schedule 2 of that approval, purportedly granted by the First Respondent on or about 12 January 2010 under section 75O of the *Environmental Planning and Assessment Act 1979* (**Concept Plan Approval**):
  - (a) a declaration that the Concept Plan Approval is invalid and of no effect; and
  - (b) an order quashing the Concept Plan Approval; and
  - (c) an injunction restraining the Second Respondent from taking any action in reliance on the Concept Plan Approval.
- 2 An order that the Respondents pay the Applicant's costs of the proceedings.
- 3 Such further or other orders 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	3/6/10

**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 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 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 Ned Richard Haughton  
 c/o Environmental Defender's Office (NSW) Ltd  
 Level 1  
 89 York Street  
 SYDNEY NSW 2000

**Legal representative for applicant**

Name Kirsty Ruddock  
 Practising certificate number 27704  
 Firm Environmental Defender's Office (NSW) Ltd  
 Contact solicitor BJ BeomJin Kim  
 Address Level 1  
 89 York Street  
 SYDNEY NSW 2000  
 DX address n/a  
 Telephone 9262 6989  
 Fax 9262 6998  
 Email bj.kim@edo.org.au

**DETAILS ABOUT RESPONDENTS****First Respondent**

Name Minister for Planning  
 Address Department of Planning  
 23-33 Bridge Street  
 SYDNEY NSW 2000

**Second Respondent**

Name Macquarie Generation  
 Address 34 Griffiths Road  
 LAMBTON NSW 2299

