

# JEREMY FARRELL



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## Areas of Practice

- Planning and Environmental Law
- Mining Law
- Local Government and Administrative
- Environmental Prosecutions
- Property and Equity
- Access to information
- Appellate work

## Qualifications

BA/LLB (Hons 1) (Sydney) (2007)

## Admissions

- As a solicitor, in 2009
- As a barrister, in 2018

## Professional recognition

- 2021, 2022, 2023, 2024, 2025: Recommended Junior Counsel in *Doyle's Guide: Leading Planning and Environment Barristers*

## Other appointments

- Member of the Land and Environment Court Duty Barrister Scheme from 2018 to present

## Planning, Environment, Enforcement, Property and Valuation

I appear regularly in the Land and Environment Court, Supreme Court and NSW Court of Appeal for trial and appeals under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and the *Conveyancing Act 1919*. I am instructed in a range of matters by individuals, government, and in particular Councils, multi-national and Australian ASX 200 corporations, partnerships, small businesses and developers.

I have over 16 years of experience working in all aspects of property, planning and development law.

Prior to my admission to the Bar, I worked as a solicitor at Minter Ellison for 10 years in the environment and planning practice group working closely with John Whitehouse, Duncan McGregor, Simon Ball and Luke Walker. During that time, I also worked as a senior solicitor for the Homeless Persons Legal Service. I retain a strong commitment to pro bono work in these areas, as well as in environmental law, and am available to appear and advise in pro bono matters on request.

## Decisions in the High Court of Australia

- *Forestry Corporation of New South Wales v South East Forest Rescue Incorporated* [2025] HCA 15

## Decisions in the Court of Appeal, the Land and Environment Court, NCAT and the Local Court

- **Reported decisions in the NSWCA**

- *Sader v Elgammal* (2024) 113 NSWLR 394.
- *Cameron v Woollahra Municipal Council* [2024] NSWCA 216

- **Civil enforcement proceedings**

- *Tweed Shire Council v Cooke* [2023] NSWLEC 73
- *Cooke v Tweed Shire Council* [2024] NSWCA 50
- *Sader v Elgammal* [2022] NSWLEC 107
- *Black Hill Residents Group Incorporated v Marist Youth Care Limited* (No 5) [2021] NSWLEC 43

- **Judicial review**

- *Joseph v Spencer* [2025] NSWCA 80 (unled)
- *Syncept Chatham Pty Ltd v City of Ryde Council* [2019] NSWLEC 170
- *El Khouri & Anor v Gemaveld Pty Ltd & Ors* [2023] NSWSC 25
- *El Khouri v Gemaveld Pty Ltd* [2023] NSWCA 78
- *Feldkirchen Pty Ltd v Development Implementation Pty Ltd and Anor* [2021] NSWLEC 116
- *Feldkirchen Pty Ltd v Development Implementation Pty Ltd* [2022] NSWCA 227

- **Construction certificates and complying development certificates**

- *Sader v Elgammal* [2022] NSWLEC 107
- *Sader v Elgammal* (No 2) [2024] NSWLEC 4
- *Woollahra Municipal Council v Cameron* [2024] NSWLEC 27
- *Omayya Investments Pty Limited v Dean Street Holdings Pty Limited* (No 5) [2020] NSWLEC 9
- *Cameron v Woollahra Municipal Council* [2024] NSWCA 216

- **Criminal prosecutions**

- *Environment Protection Authority v Eveston* (No 3) [2022] NSWLEC 128
- *Chief Executive Office of Environment and Heritage v Somerville* (No 2) [2021] NSWLEC 78
- *Somerville v Chief Executive of the Office of Environment and Heritage* [2020] NSWCCA 93
- *Secretary, Department of Planning and Environment v Kazmouz* - 2022/385194

- **Standing at common law to bring environmental litigation**

- *South East Forest Rescue Inc v Forestry Corporation of New South Wales* (No 2) [2024] NSWCA 113

- **Compulsory acquisition and valuation**

- *Investron Pty Limited v Transport for NSW* [2022] NSWLEC 1646
- **Access orders to neighbouring land**
  - *Sader v Elgammal* [2024] NSWCA 20
- **Joinder applications**
  - *STMRCF Pty Ltd v Woollahra Municipal Council* [2022] NSWLEC 111
  - *Li v Woollahra Municipal Council* [2023] NSWLEC 1298
- **Access to information**
  - *Moran v Shellharbour City Council* [2022] NSWCATAD 112
- **Pro bono**
  - *South East Forest Rescue Inc v Forestry Corporation of New South Wales (No 2)* [2024] NSWCA 113
  - *Environment Protection Authority v Eveston (No 3)* [2022] NSWLEC 128
  - *Chief Executive Office of Environment and Heritage v Somerville (No 2)* [2021] NSWLEC 78
  - *Somerville v Chief Executive of the Office of Environment and Heritage* [2020] NSWCCA 93
- **Section 56A appeals**
  - *Stokes v Waverley Council (No 2)* [2019] NSWLEC 174
  - *Denoci Pty Ltd v Liverpool City Council* [2020] NSWLEC 102
- **Selected Class 1 development appeals**
  - *Zenith Tuggerah Pty Ltd v Central Coast Council* [2022] NSWLEC 1488
  - *General Roberts Super Pty Ltd v City of Newcastle* [2024] NSWLEC 1404
  - *Northern Beaches Essential Accommodation Pty Ltd v Northern Beaches Council* [2023] NSWLEC 1134
  - *Karimbla Properties (No. 59) Pty Limited v City of Parramatta Council* [2023] NSWLEC 1365
  - *Sabharwal v Lane Cove Council* [2023] NSWLEC 1022
  - *Jarvis v Ku-ring-gai Council* [2021] NSWLEC 1447
  - *Michael Brown Planning Strategies v Wingecarribee Shire Council* [2019] NSWLEC 1311
- **Selected Class 2 cases**
  - *Greig v Wolff* [2022] NSWLEC 1267

## ICAC inquiries

- Independent Commission Against Corruption: Operation Dasha – Inquiry into Canterbury Bankstown Council

## Seminars and Publications

- *Beyond Initial Action: the evolution of dispensations under clause 4.6*: Environmental Law News Spring 2019
- *Recent activity in the Land and Environment Court Specialist Accreditation Conference August 2023*
- *Easements, covenants and development consents: Legalwise Property Law Conference 2025*

## Interests outside the law

- Surfing, triathlons, fishing, rugby and travelling with young children