

Tim Poisel
Barrister

University Chambers
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Sydney NSW 2000

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Admissions

May 2020 Called to the New South
Wales Bar

August 2009 Admitted as a solicitor of
the Supreme Court of
New South Wales

Legal Experience

April 2023 – Present **University Chambers**
Barrister

May 2020 – April 2023 **Martin Place Chambers**
Barrister

March 2015 – May 2020 **MinterEllison**
Special Counsel and Senior Associate

February 2011 – October
2014 **Corrs Chambers Westgarth**
Senior Associate, Associate and Lawyer

December 2007 – December
2010 **DLA Phillips Fox (now DLA Piper)**
Solicitor, Graduate, Paralegal and Summer Clerk

Tertiary Qualifications

May 2014 **University of Sydney**
Master of Laws

May 2009 **University of Sydney**
Bachelor of Laws

May 2006 **University of Sydney**
Bachelor of Arts (Honours I)

Industry Recognition

2022-2023 **Doyle's Guide**
Listed as Recommended Junior Counsel in Planning and
Environment

2020-2023 **Best Lawyers in Australia**
Listed in Planning and Environmental Law

2019 **Doyle's Guide**
Listed in Planning and Environment Rising Stars

2013 **Lawyers Weekly**
Finalist in the inaugural 30 Under 30 Awards



Select Cases

- *Kool Family Developments Pty Ltd v City of Ryde Council* [2023] NSWLEC 1031 – development appeal against the refusal of a development application seeking consent for the erection of multi dwelling housing (led by Richard Lancaster SC).
- *Odisho v Central Coast Council* [2023] NSWLEC 1017 – development appeal against the deemed refusal of a development application seeking consent for a swimming pool overlooking North Avoca Beach.
- *Buhach v Transport for New South Wales* [2022] NSWLEC 148 – compulsory acquisition proceedings concerning dispossessed owners’ entitlements to compensation (led by Dr Sarah Pritchard SC and Anne Hemmings).
- *Nicole-Anne Hickey v The Owners Strata Plan 78825* [2022] NSWLEC 135 – application under the *Encroachment of Buildings Act 1922* (NSW) seeking the imposition of an easement for the encroaching structure and the payment of compensation for that easement (led by Jacinta Reid).
- *Norman v Central Coast Council* [2022] NSWLEC 120 – judicial review proceedings relating to the lawfulness of the imposed time limit to satisfy deferred commencement conditions (led by Jason Lazarus SC).
- *Agostino v Penrith City Council* [2022] NSWLEC 1258 – development appeal against the refusal of a development application seeking consent for alterations and additions to a fruit and vegetable store and for the extension of an existing use right into an existing shed (led by Anne Hemmings).
- *Werry v Kiama Municipal Council* [2022] NSWLEC 1230 – development appeal against the refusal of a development application seeking consent for seniors housing (led by Geoff Farland).
- *Friends of Gardiner Park Inc v Bayside Council* [2022] NSWLEC 22 – judicial review proceedings challenging a decision to allow an upgrade to sports fields in a heritage-listed park; also appeared on the successful application for no order as to costs on the ground of public interest in *Friends of Gardiner Park Inc v Bayside Council (No 2)* [2022] NSWLEC 61.
- *Muscat Developments Pty Ltd trading as Muscat Developments v Wollondilly Shire Council* [2021] NSWLEC 1758 – development appeal against the refusal of a development application seeking consent for a change of use from poultry farm to two depots (led by Richard Lancaster SC).
- *Whitehall Property Services Pty Ltd v Randwick City Council* [2021] NSWLEC 1762 – development appeal against the refusal of a development application seeking consent for a vertical living garden and integrated digital advertising sign (led by Ian Hemmings SC).
- *Weston Aluminium Pty Limited v Environment Protection Authority* [2021] NSWLEC 131 – judicial review proceedings concerning the applicant’s liability to pay a waste contribution; also appeared in the appeal which overturned the first instance decision in *Weston Aluminium Pty Ltd v Environment Protection Authority* [2022] NSWCA 236.
- *Ahal v City of Parramatta Council* [2021] NSWLEC 1555 – development appeal against the deemed refusal of a development application seeking consent for the construction of a four-storey boarding house.
- *Sales and Anor v Transport for NSW* [2020] NSWLEC 145 – compulsory acquisition proceedings concerning dispossessed owners’ entitlements to compensation (led by Luke Waterson).
- *Lasovase Pty Ltd v Wingecarribee Shire Council* [2021] NSWLEC 1316 – development appeal against the deemed refusal of a subdivision and a dwelling house (led by Peter Tomasetti SC).
- *Salic v City of Parramatta Council* [2021] NSWLEC 1309 – development appeal against the refusal of a development application seeking consent for a dual occupancy.

- *G Capital Corporation Pty Limited v Transport for NSW; Gertos Holdings Pty Ltd v Transport for NSW; Marsden Developments Pty Ltd v Transport for NSW* [2021] NSWLEC 44 – compulsory acquisition proceedings concerning dispossessed owners' entitlements to compensation (led by Peter Tomasetti SC and James Johnson).
- *Azizi v Council of the City of Ryde; Alnox Pty Ltd v Council of the City of Ryde* [2021] NSWLEC 40 – interlocutory proceedings seeking an order compelling the council to make an advance payment as required by ss 48 and 68 of the *Land Acquisition (Just Terms Compensation Act 1991* (NSW) (led by Ian Hemmings SC); also appeared in the appeal which upheld the first instance decision in *Council of the City of Ryde v Azizi* [2021] NSWCA 165.
- *Ingenia Communities Pty Ltd v Mid-Coast Council* [2021] NSWLEC 1131 – development appeal against the refusal of a development application seeking consent for alterations and additions to a caravan park (led by Chris McEwen SC).
- *Architecture Design Studio (NSW) Pty Ltd v Canterbury-Bankstown Council* [2020] NSWLEC 1398 – development appeal against the deemed refusal of a development application seeking consent for the construction of a three-storey boarding house (led by Mark Seymour).
- *Snowy Mountains Brumby Sustainability & Management Group Incorporated v State of New South Wales and Anor* [2020] NSWLEC 92 – application for judicial review challenging a decision to allow wild horse management activities in Kosciuszko National Park (led by Mark Seymour).

Select Publications

- "EPA v Grafil – implications for the treatment of waste containing asbestos" (2019) 18(9) *Local Government Reporter* 146 (co-authored by Luke Walker).
- "Class 3 Compensation Claims: A Year in Review" (2019) 64 *Environmental Law News* 6.
- "A Sigh of Relief for Acquiring Authorities! Desane Properties First Instance Decision Overturned" (2018) 17(9 & 10) *Local Government Reporter* 132.
- "Compulsory Acquisition – Partial Acquisition of a Development Site" (2018) 17(4) *Local Government Reporter* 54.
- "Guidance on the Catchment SEPP: 4nature v Centennial Springvale" (2016) 15 *Local Government Reporter* 359.
- "Release of the Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals in NSW" (2016) 30 *Australian Environment Review* 263.
- "One-Stop Shop for environmental approvals – Release of the draft conditions policy" (2016) 30 *Australian Environment Review* 187.
- "Court finds that Dial A Dump Industries had no 'interest in land'" (2016) 15 *Local Government Reporter* 267.
- "Council obliged to comply with trusts made in the 1950s for road purposes" (2016) 15 *Local Government Reporter* 209.
- "Seniors Living Principle – Is the First Planning Principle of Continuing Relevance?" (2015) 14 *Local Government Reporter* 85.