

DIBB & ANOR
v
TRANSPORT FOR NSW
[2024] HCASL 275
S111/2024

1 The applicants require an extension of time within which to seek special leave to appeal from a decision of the Court of Appeal of the Supreme Court of New South Wales (Payne, Kirk and Stern JJA) dismissing an appeal from the judgment of the Land and Environment Court of New South Wales (Pain J) in relation to an application seeking compensation for the compulsory acquisition of property.

2 The Court of Appeal applied settled principles with respect to the issue sought to be appealed to this Court, and there is no reason to doubt the correctness of its application of those principles. No question of principle falls for determination in this application. It would therefore be futile to grant the extension of time that is sought.

3 Special leave to appeal is refused.

Gordon J
Steward J

7 November 2024