

MCMURRAY
v
ENVIRONMENT PROTECTION AUTHORITY
[2024] HCASL 327
S122/2024

- 1 The applicant seeks leave to appeal from a judgment of the Court of Criminal Appeal of New South Wales (Preston CJ of LEC, White and Mitchelmore JJA agreeing) which determined in the affirmative a question of law on a stated case concerning the interpretation of s 220(4) of the *Local Government Act 1993* (NSW) in its application to ss 144(1) and 169(1) of the *Protection of the Environment Operations Act 1997* (NSW), and set aside orders made by the Land and Environment Court of New South Wales (Duggan J) dismissing an appeal from a permanent stay of proceedings ordered in the Local Court of New South Wales (Magistrate D McLennan).
- 2 There is insufficient reason to doubt the correctness of the decision of the Court of Criminal Appeal. Moreover, an appeal would not raise any legal issue of public importance suitable for the grant of special leave to appeal.
- 3 Special leave to appeal is refused.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

5 December 2024