CLIFFFALL PTY LTD
v
WOLLONGONG CITY COUNCIL ABN 63139525939 & ANOR
[2026] HCADisp 287
S75/2026

1 The applicant seeks special leave to appeal from a judgment of the Court of Appeal of the Supreme Court of New South Wales (Ball JA, Kirk and Stern JJA agreeing) which dismissed the applicant's appeal from a judgment of the Supreme Court of New South Wales (Pike J) which, in turn, relevantly concluded that the applicant's rights under s 6 of the *Roads Act 1993* (NSW) had not been infringed.

2 The proposed appeal turns on the application of s 6 of the *Roads Act* to particular facts, in circumstances which are not an appropriate vehicle to review the Court of Appeal's construction of s 6 of the *Roads Act*.

3 Special leave to appeal is refused with costs.

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

5 November 2026