

## CURRICULUM VITAE

MARK FRASER FOZZARD

### PERSONAL DETAILS

Address: Sixth Floor Windeyer Chambers  
6/225 Macquarie Street, Sydney NSW 2000

Telephone: 0416 080 054

Date of Birth: 3rd March 1968

Email Address: fozzard@windeyerchambers.com.au

### PROFESSIONAL WORK AND PRACTICE AREA

- **Local Government Law**
- **Environmental and Planning Law; Development, Civil and Criminal**
- **Construction and Building; Home Building; Contracts**
- **Disciplinary Proceedings against Professionals**

### CASES PUBLISHED (in order of most recent; party represented highlighted)

#### 2024

- Invocare Australia Pty Limited v **Blacktown City Council** [2024] NSWLEC 1044 (13 February 2024)
- Curmi v **Blacktown City Council** [2024] NSWSC 10 (23 January 2024)
- Orfali v **Commissioner for Fair Trading** [2024] NSWCATOD 4 (11 January 2024)
- Curmi v **Blacktown City Council** [2024] NSWSC 10 (2 January)

#### 2023

- Curmi v **Blacktown City Council** [2023] NSWSC 1652 (22 December 2023)
- **Mackenzie Architects International Pty Ltd** v Burwood Council [2023] NSWLEC 1783 (20 December 2023)
- Curmi v **Blacktown City Council** (No.2) [2023] NSWSC 1615 (15 December 2023)

- Gearin v **Commissioner for Fair Trading** [2023] NSWCATOD 155 (27 October 2023)
- Burwood Council v **Portleigh Pty Ltd**; Burwood Council v **X-Sealant Pty Ltd** [2023] NSWLEC 103 (9 October 2023)
- UPG 309 Pty Ltd v **Blacktown City Council** [2023] NSWLEC 1538 (19 September 2023)
- **X-Sealant Pty Ltd** v Burwood Council [2023] NSWLEC 1469 (25 August 2023)
- **Abdul-Rahman** v Canterbury-Bankstown Council [2023] NSWLEC 1463 (17 August 2023)
- Nassif v **Commissioner of Fair Trading**; Toplace Pty Ltd v Commissioner of Fair Trading (No 2) [2023] NSWCATOD 98 (6 July 2023)
- Bronger v **Greenway Health Centre Pty Ltd t/as Greenway Plaza Pharmacy** [2023] NSWCA 104 (22 May 2023)
- **Aland B & W Pty Ltd** v Blacktown City Council [2023] NSWLEC 13 (24 February 2023)
- Nassif v **Commissioner for Fair Trading**; Toplace Pty Ltd v Commissioner for Fair Trading [2023] NSWCATOD 4 (5 January 2023)

## 2022

- Bowers v Northern Beaches Council & **Grigull Custodian Pty Ltd** [2022] NSWCA 253 (8 December 2022)
- **Kousis** v Inner West Council [2022] NSWLEC 1611 (4 November 2022)
- **Revolution Surveys Pty Ltd** v Fairfield City Council [2022] NSWLEC 1589 (28 October 2022)
- Bronger v **Greenway Health Centre Pty Ltd t/as Greenway Plaza Pharmacy** [2022] NSWLEC 91 (27 July 2022)
- Bowers v Northern Beaches Council and **Anor** (No 3) [2022] NSWLEC 47 (29 April 2022)
- Bowers v Northern Beaches Council and **Anor** (No 2) [2022] NSWLEC 46 (29 April 2022)
- **Reset & Sweat Pty Ltd** v Northern Beaches Council [2022] NSWLEC 1203 (19 April 2022)
- Votano v **Building Professionals Board** (No 2) [2022] NSWCATOD 42 (14 April 2022)

- **Pastoral Investment Land & Loan Pty Ltd** v Central Coast Council [2022] NSWLEC 1152 (23 March 2022)

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- **Rothshire Pty Ltd** v Blacktown City Council [2022] NSWLEC 1125 (15 March 2022)

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- Bowers v Northern Beaches Council and **Anor** [2022] NSWLEC 8 (9 February 2022)

## 2021

- Storer v **Commissioner for Fair Trading** [2021] NSWCATAD 331 (9 November 2021)

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- BR Building Service Pty Ltd v **Strathfield Municipal Council** [2021] NSWLEC 1652 (29 October 2021)

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- Bhargava v **Hornsby Shire Council** [2021] NSWLEC 1568 (28 September 2021)
- Moses v **Ratner** (No 2) [2021] NSWSC 960 (26 July 2021)

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- **King** v Maitland City Council [2021] NSWLEC 1343 (10 June 2021)
- Moses v **Ratner** [2021] NSWSC 185 (12 March 2021)
- Votano v **Building Professionals Board** [2021] NSWCATOD 7 (21 January 2021)

## 2020

- Sleiman v **Strathfield Municipal Council** [2020] NSWLEC 1686 (30 December 2020)

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- **GMKA Pty Ltd** v Penrith City Council [2020] NSWLEC 1442 (21 September 2020)

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- Central Coast Council v **Pastoral Investment Land & Loan Pty Ltd** (No 2) [2020] NSWSC 1039 (7 August 2020)

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- Freixas v **Commissioner for Fair Trading, Department of Customer Service** (No 2) [2020] NSWCATOD 78 (15 July 2020)

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- **Pastoral Investment Land & Loan Pty Ltd** v Central Coast Council [2020] NSWLEC 85 (8 July 2020)

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- McKenzie Group Consulting (NSW) Pty Ltd v **Building Professionals Board** [2020] NSWCATOD 76 (3 July 2020)

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- Central Coast Council v **Pastoral Investment Land & Loan Pty Ltd** [2020] NSWSC 777 (19 June 2020)

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  - Freixas v **Building Professionals Board** (No 1) [2020] NSWCATOD 27 (20 March 2020)

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  - **Pastoral Investment Land & Loan Pty Ltd** v Central Coast Council [2020] NSWLEC 1135 (11 March 2020)

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  - Boyce v **Building Professionals Board** (No 2) [2020] NSWCATOD 14 (7 February 2020)

## 2019

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- Da Silva v **Building Professionals Board** [2019] NSWCATOD 177 (22 November 2019)

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  - Turkovic v **Hornsby Shire Council** [2019] NSWLEC 1262 (14 June 2019)

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  - See Win Holdings (ABN 65 132 944 542) ATF See Win Trust (ABN 38 124 477 479) v **Cumberland Council** [2019] NSWLEC 1124 (27 March 2019)

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  - **Cumberland Council** v See Win Holdings Pty Ltd [2019] NSWLEC 15 (22 February 2019)

## 2018

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- **Cudgegong Australia Pty Limited** v Sydney Metro [2018] NSWCA 298 (7 December 2018)

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  - **Cumberland Council** v Tony Younan; **Cumberland Council** v Ronney Oueik; **Cumberland Council** v H&M Renovations Pty Ltd [2018] NSWLEC 145 (21 September 2018)

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  - The Hills Shire Council v **Needham** (No 2) [2018] NSWLEC 98 (26 June 2018)

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  - **Cudgegong Australia Pty Ltd** v Transport for New South Wales [2018] NSWSC 929 (21 June 2018)

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  - The Hills Shire Council v **Needham** [2018] NSWLEC 1 (7 February 2018)

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  - David William Underwood v **Commissioner of Fair Trading, Department of Finance, Services and Innovation** [2018] NSWLEC 1003 (4 January 2018)

## 2017

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- Ebrahim & anor v Vukovic & anor [2017] NSWLEC 1402 (1 August 2017)
  - Holroyd City Council v National Auto Dismantlers Pty Ltd [2017] NSWLEC 66 (27 April 2017)
- 
- Cumberland Council v Badaoui Habib [2017] NSWLEC 18 (2 March 2017)
- 
- Cumberland Council v Khoury [2017] NSWLEC 14 (1 March 2017)

## 2016

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- R v Barakat; R v Younes (No 2) [2016] NSWSC 1255 (9 September 2016)
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- R v Barakat; R v Younes (No 3) [2016] NSWSC 1256 (9 September 2016)
- 
- Paul Baker as Plaintiff Representative of 165 Plaintiff Group Members v The Partnership of Anne Patricia Larter, Alan Jones, Miraleste Pty Ltd t/as USG Partner and Leigh Johnson t/as STC Sports Trading Club [2016] NSWSC 1194 (30 August 2016)
  - Cumberland Council v Khoury (No 3)\* [2016] NSWLEC 55 (23 May 2016)
  - Holroyd City Council v Khoury (No 2) [2016] NSWLEC 31 (31 March 2016)
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- Holroyd City Council v Khoury [2016] NSWLEC 29 (29 March 2016)
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- Holroyd City Council v Khoury [2016] NSWLEC 18 (10 March 2016)

## 2015

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- Blue Mountains City Council v Venkataramana and Anor [2015] NSWLEC 201 (4 December 2015)
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- Hurstville City Council v Jacobs (No 3) [2015] NSWLEC 194 (25 November 2015)
  - R v Khalid [2015] NSWSC 1561 (21 October 2015)
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- Shoal Bay Developments Pty Ltd & Anor v Port Stephens Council [2015] NSWLEC 1401 (30 September 2015)
  - Raveena Singh Rai v State Transit Authority of New South Wales [2015] NSWIRComm 27 (8 September 2015)

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- Khreich & anor v **Holroyd City Council** [2015] NSWLEC 1360 (2 September 2015)
  - R v **Alqudsi** [2015] NSWSC 2132 (28 August 2015)
- 
- **Djmal** v Cemal & Ors [2015] NSWSC 1125 (6 August 2015)
- 
- **SZUZZ** v Minister for Immigration & Anor [2015] FCCA 1946 (17 July 2015)
- 
- **Brian Stanley Fisher** v Channel Seven Sydney Pty Ltd (No 6) [2015] NSWSC 887 (1 July 2015)
- 
- **Shoal Bay Developments Pty Ltd & Anor** v Port Stephens Council [2015] NSWLEC 1557 (1 April 2015)
- 
- **Wilkie** v Blacktown City Council [2015] NSWLEC 1084 (26 March 2015)
- 
- **Raveena Singh Rai** and State Transit Authority of New South Wales [2015] NSWIRComm 1000 (24 March 2015)
- 
- **Shoal Bay Developments Pty Limited** v Port Stephens Council (No 2) [2015] NSWLEC 36 (11 March 2015)
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- **Shoal Bay Developments Pty Ltd** v Port Stephens Council [2015] NSWLEC 1556 (6 February 2015)

## 2014

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- **Fisher** v Channel Seven Sydney Pty Ltd (No 5) [2014] NSWSC 1873 (31 December 2014)
- 
- **Brian Stanley Fisher** v Channel Seven Sydney Pty Ltd (No 4) [2014] NSWSC 1616 (17 November 2014)
- 
- Holley v **Evatt** [2014] NSWCATAP 72 (29 October 2014)
- 
- **DZADS** v Minister for Immigration and Border Protection [2014] FCA 1128 (24 October 2014)
- 
- **Habib** v State of New South Wales (NSW Police Force) [2014] NSWCATAP 70 (23 October 2014)

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- **Brian Stanley Fisher** v Channel Seven Sydney Pty Ltd (No 3) [2014] NSWSC 1619 (24 September 2014)
  - **Brian Stanley Fisher** v Channel Seven Sydney Pty Ltd (No 2) [2014] NSWSC 1593 (16 September 2014)
  - **Brian Stanley Fisher** v Channel Seven Sydney Pty Ltd [2014] NSWSC 1343 (15 September 2014)
  - **Wilkie** v Blacktown City Council [2012] NSWLEC 1223 (9 August 2012)
- 
- **SZOVX** v Minister for Immigration & Anor [2011] FMCA 314 (19 May 2011)
  - Wilson Parking Australia 1992 Pty Limited v **City of Sydney Council** [2010] NSWLEC 1204 (21 June 2010)
- 
- Timothy Williams & Associates Pty Ltd v **Council of the City of Sydney** [2009] NSWLEC 1344 (2 October 2009)
  - Kushe v **City of Sydney Council** [2009] NSWLEC 1403 (26 August 2009)
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- City Apartments Parkridge Pty Limited v **Sydney City Council** [2009] NSWLEC 1225 (29 May 2009)
  - Korner v **Council of the City of Sydney** [2009] NSWLEC 1154 (30 March 2009)
  - Acorn Cove Pty Limited v **Sydney City Council** [2008] NSWLEC 1352 (5 August 2008)
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- **Council of the City of Sydney** v Waldorf Apartments Hotel Sydney Pty Limited and Anor (No 3) [2008] NSWLEC 175 (20 May 2008)
  - **Council of the City of Sydney** v Waldorf Apartments Hotel Sydney Pty Limited and Anor [2008] NSWLEC 97 (5 March 2008)
- 
- O'Brien, M C v **City of Sydney Council** [2007] NSWLEC 185 (5 April 2007)
- 
- Harwood Pty Ltd v **Sydney City Council** [2006] NSWLEC 523 (11 August 2006)
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- Nechi Holdings Pty Ltd v **Sydney City Council** [2006] NSWLEC 428 (5 July 2006)

EDUCATION	
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2014	Admitted to practice as a Barrister; NSWBAR
2012	Entry in the Register of Practitioners, High Court of Australia
2011	Graduate Certificate in Property and Planning (' <b>GredCertPropPlan</b> ') - University of Technology, Sydney
2009	Masters of Laws (' <b>LL.M</b> ') - University of Technology, Sydney
2006	Admitted as Lawyer to the Supreme Court of New South Wales
2006	Graduate Certificate in Legal Practice (' <b>GradCertLegPrac</b> ') - University of Technology, Sydney
2005	Bachelor of Laws (' <b>LL.B</b> ') - University of Technology, Sydney.
1996	Development Control Course - University of Technology.
1994	Associate Diploma in Applied Science in Health and Building Surveying (' <b>AssocDipAPPSci</b> ') – Sydney Institute of Technology