

**INQUIRY INTO OPPORTUNITIES TO CONSOLIDATE
TRIBUNALS IN NSW**

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Not sure what I should focus on here but I am totally dismayed by my dealings with CTTT.
At first I thought they were just incompetent, then I thought they were just being defensive but now I believe there is a genuine conspiracy against us.

A brief summary of the actions in our case just to demonstrate our assertions.

- 1 we obtained development consent from council to erect a storage shed in the basement of our strata building.
- 2 owners corporation lodged an application for orders to demolish it with the CTTT.
- 3 We submitted our arguments in response and the CTTT Adjudicator did not even read our submission and ruled against us.
- 4 We challenged this and the chairperson of CTTT sent us a written apology but decided that the decision stands – no natural justice for us.
- 5 We demonstrated that the development consent overrides a by-law prohibiting such a structure but the CTTT tribunal then concocted a reason to rule against us – their reasoning defies the planning instruments of every council in NSW under S.28 EPA Act.
- 6 We showed that development consent was required to demolish that structure and therefore the CTTT was ordering us to perform an illegal act , without such a consent.
- 7 CTTT ruled that our structure which had required development consent, a construction certificate and an occupation certificate to be erected, was in fact not a structure and did not require consent to be demolished.
- 8 Council gave us written advice to the contrary but CTTT refused to consider that it had made an error at law and dismissed our application on the grounds that our application was misconceived, rather than considering the substantive issue of the fact that only council can decide if a development consent is required for any type of development and not CTTT.

I believe that after the first error of not reading our submission in response, the CTTT became defensive and looked to find ways to rule against us, but eventually it got to the ridiculous stage where they will not even accept the written advice of Newcastle council and instead rely on any technicality they can dream up to rule against us.

Regards
Zenon helinski