



Environmental Management Pty Ltd, ABN 78 003 520 705  
Environmental, Economic and Water Studies  
15 Cottenham Ave, Kensington NSW 2033, Australia  
Phone: +61 2 9662 2255 Fax: +61 2 9662 2322  
Email: [terry@environmentalmanagement.com.au](mailto:terry@environmentalmanagement.com.au)  
Web: [www.environmentalmanagement.com.au](http://www.environmentalmanagement.com.au)

## **Court and Tribunal Cases, Expert Witness Reports and Appearances by Dr Lustig**

**Sandon Point, Bulli (*Land and Environment Court*)** Objection to development of land claimed as of aboriginal significance, and impact of proposed subdivision and earthworks on Endangered Sydney Coastal Estuarine Swamp Forest Complex (SCESFC) Ecological Community, 2004 – present. Al Oshlack, Agent, 02-9557-1652, 0415-140-410. Submissions being prepared (as at 6/5/04).

**Appletree Street, Wingham (*Land and Environment Court*)** Suitability of flood-prone land for residential development, 2003. Andrew White, Solicitor, 02-4782-2199. Decision reserved (as at 5/11/03).

**River Ave, Plenty, Victoria (*Victorian Civil Administration Tribunal*)** Capability of land for on-site wastewater-management, 2003. Deacons, 03-8686-6226. Case won.

**Edgewood Estate, Woonona (*District Court*)** Advice on flooding nuisance caused by residential developer (MrBugs Pest Control), 2002 - present. Taylor and Scott, 02-9265-2500.

**South Brighton Spit, Christchurch (*Environment Court of NZ*)** Advice on stability of tidal inlet and risk of coastal erosion (NZ Cashflow Control), 2002-2003. Royden Somerville, Barrister, 64-3-477-3488. Case won for 4 out of five sites. Fifth site on appeal.

**North Arm Cove, Port Stephens (*Land and Environment Court*)** Case brought by John Bourke, Architect, on behalf of a group of land owners, 2001. James Hannaford, Cutler Hughes and Harris 02-9290-6222. Case lost.

**Wollongong Floods, 1998 (*District Court of NSW*)** (QBE Insurance and Western QBE Insurance) Case for defence brought by various residents and a business, 2001-2002. Clive Curwood, Curwood and Partners, 02-9231-4166. Plaintiffs withdrew.

**Hampton Court, Lansdowne (*District Court of NSW*)** Advice on legal liability of Greater Taree Council for approving residential development in swampy ground, 2000-present. Mark Eddelbuttel, 02-6556-0266. First case settled.

**Papamoa Coastal Hazard Zones, New Zealand (*Expert Witness in NZ Environment Court*)** Represented Beachfront Ratepayers Association on economic and technical adequacy of procedures used for zoning coastal hazards, 1998-2002. Barrister Richard Brabant, Environmental Law Chambers (64-9)-353-7802. Case lost.

**Wollongong Floods, August 1998 (*Representation at IEC Panel Hearing*)** (QBE and WQBE) Advice on causes of inundation of property, 1998-1999. Mark Nicholls, QBE 02-9375-4171. All but two cases won.

**Townsville Floods, January 1998 (*Insurance Enquiries and Complaints, General Insurance Panel*)** Technical Advisor to Panel at Hearing, 1998.

**Pegasus Bay New Town Development, New Zealand (*Regional & District Planning Hearing*)** (Pegasus Bay Coastal Estates) Evidence on water-disaster planning, 1998. Lawyer Jim Guthrie, Anderson Lloyd, Dunedin (64-3)-477-3973. Case won.

**Waimakariri River South Arm (*Regional & District Planning Hearing*)** for Canterbury Golf International, evidence on water-disaster planning when locating a golf course in a floodway, 1994-98. Barrister Tony Hearn, Christchurch (deceased). Both cases won.

**Coffs Harbour Flood November 23, 1996 (*Represented NRMA at IEC Panel Hearing*)** (NRMA Insurance) Evidence on cause of inundation of property, 1997. NRMA Lawyer Andrew Simpson 9292-9367. All cases won.

**Opotiki Healthcare Centre, New Zealand (*Expert Witness in NZ Environment Court*)** (represented the Grafton Group, Auckland) Economic and social benefits of a controversial replacement of a flood-free hospital with a flood-prone healthcare centre, 1996. Barrister Michael Sleigh, Chapman Tripp Sheffield Gound Auckland (64-3)-353-0028. Case won.

**Consolidated Wood Products (*Supreme Court of NSW*)** Evidence for Provincial Insurance on cause of inundation in Salt Pan Creek, 1990-1. Barrister David Farthing, 9373-7421. Case won on appeal.