

Curriculum Vitae of Michael Dalla-Pozza- 1 June 2019

CONTACT DETAILS

Chambers: 3 St James' Hall
Address: 3/169, Phillip Street, Sydney 2000, NSW
DX: DX 822 Sydney
Telephone: (02) 8998 8778
Fax: (02) 9223 9699
Email: dallapozza@3sjh.com.au

LEGAL EXPERIENCE

- **May 2019-** admitted to the NSW Bar;
- **June 2017- March 2019;** Solicitor-Advocate, Inquiries and Criminal Law Division, Crown Solicitor's Office;
- **October 2016- June 2017;** Senior Solicitor (Grade VI), NSW Crown Solicitor's Office (Administrative Law team);
- **August 2015- October 2016;** Principal Legal Officer, NSW Department of Industry (Administrative Law team);
- **September 2007- August 2015,** Senior Solicitor, NSW Crown Solicitor's Office (Administrative Law team);
- **June 2009- July 2010 and July 2011- November 2011;** - secondment to New South Wales Police Force;
- **November 2005 to September 2007;** junior solicitor NSW Crown Solicitor's office (Administrative Law team).

EXAMPLES OF SIGNIFICANT MATTERS WITH WHICH I HAVE BEEN INVOLVED

Administrative law- judicial Review

- *Cunneen & Ors v Independent Commission Against Corruption* [2014] NSWSC 1571; *Cunneen v Independent Commission Against Corruption* [2014] NSWCA 421; *Independent Commission Against Corruption v Cunneen* [2015] HCA 14: Judicial review, validity of investigation being conducted by the Independent Commission Against Corruption, construction of s. 8(2) of the *Independent Commission Against Corruption Act 1988*, application of the interpretative principle in *Shin Kobe Maru v Empire Shipping Company Inc* [1994] HCA 54.
- *"A" v Independent Commission Against Corruption* [2014] NSWSC 1167; *"A" v Independent Commission Against Corruption* [2014] NSWCA 414: judicial review, powers of the Independent Commission Against Corruption to issue summonses under s. 37 of the *Independent Commission Against Corruption Act 1988*, obligation of an administrative decision maker to give reasons.
- *Castle v Director General SES* [2007] NSWSC 110; *Castle v Director General State Emergency Service* [2008] NSWCA 231: Judicial review, existence and content of a duty to accord procedural fairness.

Administrative law- merits Review

- *Cianfrano v Director General, Attorney General's Department* [2008] NSWADTAP 10: *Freedom of Information Act 1987*, whether proceedings in the Administrative Decisions Tribunal are adversarial, whether communications made for the purposes of such proceedings attracted legal professional privilege. (I appeared as advocate in this matter).
- *Zonnevylle v NSW Department of Finance & Services* [2016] NSWCATAD 47; *Zonnevylle v Department of Education and Communities* [2016] NSWCATAD 49: *Government Information Public Access Act 2009*, consideration of the extent of the Tribunal's powers under s. 112 of that Act (I appeared as advocate in these matters).
- *JD v Director General NSW Department of Health (No 2)* [2007] NSWADT 256: *Privacy and Personal Information Protection Act 1998*; principles relevant to assessment of damages for breach of act, causation. (I appeared as advocate in this matter).

Statutory Applications

- Applications made by the Commissioner of Police under the *Crimes (Criminal Organisations Control Act 2009 and Crimes (Criminal Organisations Control Act 2012 (2009-2014))*. I represented the Commissioner of Police in preparing the first application under the above legislation, made against the Hells Angels Outlaw Motorcycle Gang.

Environmental Law and Licencing

- *People for the Plains Incorporated v Santos NSW (Eastern) Pty Ltd & Ors* [2016] NSWLEC 93; *People for the Plains Incorporated v Santos NSW (Eastern) Pty Ltd & Ors* [2017] NSWCA 46. Judicial review, validity of approvals granted for a coal seam gas mining operation, construction of the *Petroleum (Onshore) Act 1991*; the *State Environment Planning Policy (Infrastructure) 2007* and the *State Environment Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.
- *New South Wales Department of Primary Industries v Musumeci and Ors* [2009] NSWADTAP 7: Merits review, jurisdiction of the Administrative Decisions Tribunal, construction of *Fisheries Management Act 1994*. (I appeared as advocate in this matter)

Criminal and quasi criminal

- *Minister for Mental Health v Paciocco* [2018] NSWSC 2776: *Mental Health (Forensic Provisions Act)*, construction of Sch. 1, application of principle in *Anthony Hordern & Sons Ltd v Amalgamated Clothing & Allied Trades Union of Australia* [1932] HCA 9.
- Numerous appearances as solicitor advocate in prosecutions in the Local Court, Sentencing appeals in the District Court, before the NSW Parole Authority and the Mental Health Review Tribunal.