Class 4 – Second Directions Hearing

Short Minutes of Order

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| **COURT DETAILS** |  |
| Court | Land and Environment Court of New South Wales |
| Class |  |
| Case number |  |
| **TITLE OF PROCEEDINGS** |  |
| [First] applicant | **[name]** |
| #Second applicant #Number of applicants (if more than two) |  |
| [First] respondent | **[name]** |
| #Second respondent #Number of respondents (if more than two) |  |
| **[#FILING #ISSUING #PREPARATION] DETAILS** | |
| [#Filed #Issued #Prepared] for | **[name]** [role of party eg applicant] |
| #Legal representative | [solicitor on record] [firm] |
| #Authorised agent | [agent's name] [#agent's firm] |
| #Legal representative reference #Authorised agent reference | [reference number] |
| Contact name and telephone | [name] [telephone] |
| **SHORT MINUTES OF ORDER** |  |

Note: Strike through/amend as required.

**Usual directions at second directions hearing**

1. The matter is fixed for hearing on the following dates [insert dates obtained from the Registry and approved by the List Judge].
2. The parties are to confer and prepare a paginated Court Book with a table of contents in a white folder (or folders) containing the following sections with dividers between them:
   1. a copy of the summons, each respondent’s response to the summons (in judicial review proceedings) and (if applicable) pleadings;
   2. an agreed list (or competing lists) of the real issues for determination;
   3. a summary of the applicant’s argument (not exceeding 10 pages);
   4. [in judicial review proceedings only] the decision under review and the statement of reasons (if any) of the decision-maker;
   5. any statement of facts able to be agreed between the parties;

2

* 1. an agreed chronology or, failing agreement, the parties’ respective chronologies;
  2. an agreed schedule of any relevant legislative provisions or, failing agreement, the parties’ respective schedules of any relevant legislative provisions;
  3. each party’s list of objections (if any) to evidence;
  4. spaces for the summary of the respondent’s argument and any summary of the applicant’s argument in reply (when filed).

1. The parties are to confer and prepare a paginated Evidence Book in a non- white folder (or folders) with a table of contents containing the following copy documents with dividers between them:
   1. documents the parties jointly or separately propose to tender, with a table of contents indicating any objections to admissibility and the grounds;
   2. affidavits of the applicant’s lay witnesses;
   3. affidavit’s of the respondent’s lay witnesses;
   4. expert reports grouped by discipline
2. The applicant, at least 7 working days before the hearing, is to file and serve the Court Book and the Evidence Book.
3. The respondent, at least 4 working days before the hearing, is to file and serve a summary of the respondent’s argument (not exceeding 10 pages).
4. The applicant, at least 1 working day before the hearing, is to file and serve a summary of the applicant’s argument in reply if the applicant considers a reply is needed (not exceeding 5 pages).

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| **SIGNATURE** |  |
| Signature of applicant or legal representative for applicant | |
| Capacity | [eg solicitor, authorised agent for (role of party), role of party] |
| Date of signature |  |
| Signature of respondent or legal representative for respondent | |
| Capacity | [eg solicitor, authorised agent for (role of party), role of party] |
| Date of signature |  |