



**Land and Environment
Court**
of New South Wales

Amendment to the Court's Court Appointed Expert Standard Direction No. 1

The Court's Court Appointed Expert Standard Direction No. 1 is amended by deleting paragraph (3) and inserting the following new paragraph:

(3) If, after reviewing the preliminary report (oral or written) of the court appointed expert, the applicant considers that amended plans would be appropriate, the applicant, within 10 days of receipt of the preliminary report, may seek leave to file any amended plans by way of notice of motion supported by an affidavit. The affidavit should:

- (i) identify the amended plans by date and plan revision number,
- (ii) provide particulars sufficient to indicate the precise nature of the amendments proposed,
- (iii) if the development involves a BASIX affected building, and the amendment may affect the applicability of the BASIX certificate already obtained, specify whether a BASIX certificate for the amended development has or can be obtained (if so, annex),
- (iv) identify the way in which the amendments respond to the court appointed expert's report,
- (v) identify the respects in which the amendments lessen the environmental impact of the development and/or otherwise lead to an improved community outcome, and
- (vi) identify how granting leave to rely on the amended plans would promote the just, quick and cheap resolution of the proceedings.

If practicable, the affidavit should not exceed 3 pages in length (excluding annexures).

Dated 2nd day of June 2006.

The Honourable B J Preston
Chief Judge