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SPECIAL SUPPLEMENT

LAND AND ENVIRONMENT COURT ACT 1979

Land and Environment Court Rules (Amendment No 18) 2007

PURSUANT to s 74 of the Land and Environment Court Act 1979, we have this day made the Rules as set forth in the Schedule hereto.

Dated this 5th day of April 2007.

B. J. PRESTON,
Chief Judge

J. M. JAGOT,
Judge

P. M. BISCOE,
Judge

Explanatory note

This purpose of these Rules is to state expressly that the Rule as to costs in Part 16 Rule 4(2) applies to identified proceedings in classes 1, 2 and 3.

SCHEDULE

LAND AND ENVIRONMENT COURT ACT 1979

Land and Environment Court Rules (Amendment No. 18) 2007

1 Name of Rules

These Rules may be cited as the Land and Environment Court Rules (Amendment No. 18) 2007.

2 Commencement

These Rules commence upon the date of publication in the Gazette.

3 Amendments of Principal Rules

The Land and Environment Court Rules 1996 are amended by omitting Part 16 Rule 4(1) and by inserting instead the following:

“(1) This Rule applies to the following proceedings in classes 1, 2 and 3 of the Court’s jurisdiction:

- (a) all proceedings in class 1 referred to in s 17 of the Land and Environment Court Act 1979;
- (b) all proceedings in class 2 referred to in s 18 of the Land and Environment Court Act 1979; and
- (c) the following proceedings in class 3:
 - (i) appeals, references or other matters that may be heard and disposed of by the Court under the Crown Lands Act 1989 and the Western Lands Act 1901 referred to in section 19(a) of the Land and Environment Court Act 1979;

- (ii) appeals under section 37(1) of the Valuation of Land Act 1916;
- (iii) appeals under s 8E of the Rookwood Necropolis Act 1901;
- (iv) appeals and applications under sections 526 (and section 526 as applied by section 531) and 574 of the Local Government Act 1993;
- (v) appeals under section 202 of the Fisheries Management Act 1994;
- (vi) appeals under section 174 and references under section 175 of the Aboriginal Land Rights Act 1983; and
- (vii) any other appeals, references or other matters referred to in section 19(h) of the Land and Environment Court Act 1979”.