

Short Minutes of Order

COURT DETAILS

Court	Land and Environment Court of New South Wales
Class	1
Case number	2021/36545

TITLE OF PROCEEDINGS

Applicant	Kool Family Developments Pty Ltd
Respondent	Council of the City of Ryde

PREPARATION DETAILS

Prepared for	Kool Family Developments Pty Ltd, Applicant
Legal representative	Christopher Nehme, Fortis Law
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SHORT MINUTES OF ORDER

The Court directs that:

1. The Applicant to file and serve its amended Biodiversity Development Assessment Report by **10 December 2021**.
2. The Respondent has leave to file and serve any second further Amended Statement of Facts and Contentions but any such amendments must relate only to any new matter arising as a result of the amended Biodiversity Development Assessment Report referred to in Order 1 above by **28 January 2022**.
3. The Applicant has leave to file and serve an Amended Statement of Facts and Contentions in reply by **4 February 2022**. The amendments contained in the reply must only relate to the new matters arising from the Respondent's Further Amended Statement of Facts and Contentions that was the subject of the Court's grant of leave on 18 November 2021, and any new matters arising from the Second Further Amended Statement of Facts and Contentions referred to in Order 2 above.
4. Under rr 31.19 and 31.20 of the Uniform Civil Procedure Rules 2005 ('**UCPR**'), the Court makes the following directions regarding expert evidence:
 - (a) Jack Tatler (Applicant's ecologist) and David Robertson (Respondent's ecologist) are to confer in relation to the amended Biodiversity Development Assessment Report under UCPR r 31.24 and prepare a supplementary joint expert report.

The supplementary joint expert report in relation to the amended Biodiversity Development Assessment Report is to be filed and served by **18 February 2021**.

5. The hearing to resume on _____ for three days.
6. The parties have liberty to restore on two working days' notice.

Notation

1. The Court notes that the respondent will exhibit the amended Biodiversity Development Assessment Report on or by **17 December 2021**.

SIGNATURE

Signature of legal representative
for applicant

Capacity Solicitor

Date of signature

Signature of respondent or legal
representative for respondent

Capacity Solicitor

Date of signature