

## Legislative Council

### Land and Environment Court Amendment Bill

Schedule of the amendments agreed to in Committee of the Whole  
on Wednesday 4 September 2002.

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**R Jones**

No. 1 Page 3, Schedule 1. Insert after line 12:

**[3] Section 12 (2)**

Insert at the end of section 12 (2):

In appointing Commissioners, the Minister should ensure, as far as practicable, that the Court is comprised of persons who hold qualifications across the range of areas specified in this subsection.

**R Jones**

No. 2 Page 3, Schedule 1 [3]. Insert after line 16:

(2B) A person appointed as a part-time Commissioner is guilty of misbehaviour if, during the term of his or her appointment, the person appears as an expert witness, or acts as the representative of any party, in proceedings before the Court.

**R Jones**

No. 3 Page 7, Schedule 1. Insert after line 8:

**[10] Section 39A**

Insert after section 39:

**39A Joinder of parties in certain appeals**

(1) On an appeal under section 97 or 98 of the *Environmental Planning and Assessment Act 1979*, the Court may, at any time, on the application of a person or of its own motion, order the joinder of a person as a party to the appeal if the Court is of the opinion:

- (a) that the person is able to raise an issue that should be considered in relation to the appeal but would not be likely to be sufficiently addressed if the person were not joined as a party, or
- (b) that:
  - (i) it is in the interests of justice, or
  - (ii) it is in the public interest,that the person be joined as a party to the appeal.

**R Jones**

No. 4 Page 13, Schedule 2 [6], line 18. Insert “by sending written notice to the last address known to the council of the objector or other person” after “modification”.