

PRACTICE DIRECTION NUMBER 1 OF 2016

PLANNING AND ENVIRONMENT COURT

ELECTRONIC DOCUMENT FILING AND ACCESS

1. Purpose

The purpose of this Practice Direction is to provide for the continuance of the practice of electronic document filing and management of proceedings in the Court.

The registry will continue to place all filed documents onto the Queensland Courts' website (www.courts.qld.gov.au), allowing the Court, parties, and the public to access them online, and the Court to electronically manage the file and any hearings.

2. Scope

This Practice Direction applies to existing and future proceedings in the Court.

Nothing in this Practice Direction is to be taken as removing or limiting the discretion of the Court.

3. Existing matters at commencement of this Practice Direction

The registry will continue the existing practice of converting the documents already filed before the commencement of this Practice Direction to an electronic format and upload them onto the Queensland Courts' website.

All documents filed after commencement of this Practice Direction must comply with it.

4. Electronic document filing protocol

All documents filed in the Court must comply with the electronic document filing protocol below:

- All documents to be filed are to be provided in both hard copy and electronic format at the time of filing, including when a document is filed by leave in court.
- The electronic version of the document is to be provided on a USB drive in PDF, text-searchable format with a maximum resolution of 300 DPI, and the document is to be named in compliance with the electronic document naming conventions set out in annexure 1.
- USB drives are to be provided in an envelope that clearly identifies the court file number, name of the matter and the party providing the USB drive.

5. Documents Ordered Not to Be Accessible Online

Subject to the next paragraph, all filed documents, once uploaded to the Queensland Courts' website, will be viewable by the general public online.

If a party considers that a document should not be accessible online on the Queensland Courts' website, an application must be made to the Court prior to, or at the time of, filing the document or, in the case of a party other than the one filing the document, as soon as practicable thereafter, for an order that the document not be accessible online. Parties should note that registry staff have no discretion in this regard. The court will make such an order if there is good reason. If such an order is made the court will be able to access the document electronically but neither the parties nor the public will be able to do so.

Notwithstanding an order that a document should not be accessible online, an electronic version of the document should still be provided at the time of filing to enable the file to be managed electronically within the Court, unless otherwise ordered by the court.

Annexure 1: Electronic document naming conventions

The general rules are:

- The first part of every document name of each document filed electronically must be the court file number. For example, for court file BD1234 of 2016 the first part of every document name would be "BD1234.16"
- Thereafter, the name of each document filed electronically should use an abbreviated document name descriptive of the document followed by the date of the document in "dd.mm.yy" format.
- Multiple documents of the same type filed on the same date should differentiate in a consistent way so that each document has a unique name e.g. "subpoena to Bill Jones 01.12.16"; "subpoena to Mary Smith 01.12.16"; "affidavit of Mary Smith 01.12.16"; "second affidavit of Mary Smith 01.12.16".
- Where there are multiple parties on the one side of the record and only one of them is the filing party, then the document name should differentiate by identifying the filing party.
- Where pleadings are amended, the amended versions are differentiated as "first amended", "second amended" etc rather than "amended" and "further amended".

The following table contains illustrations of the general rules by reference to documents commonly used in the Court.

Document Type	Document names
Appeals; Originating applications; entry of appearance; notice of election; applications	<p>Name of document followed by date signed e.g. “BD1234.16 notice of appeal 01.12.16.pdf”;</p> <p>Multiple parties differentiated by identifying the filing party e.g. “BD1234.16 notice of election of the second co-respondent by election”.</p> <p>Amended versions differentiated numerically in the name e.g. “BD1234.16 first amended notice of appeal 01.12.16.pdf”;</p>
Affidavits	<p>Affidavit of the named deponent followed by date sworn or affirmed e.g. “BD1234.16 affidavit of Mary Smith 01.12.16.pdf”.</p> <p>Where more than one affidavit by the same deponent is sworn or affirmed on the same date, differentiate so that each document has a unique name e.g. “BD1234.16 second affidavit of Mary Smith 01.12.16.pdf” and “BD1234.16 third affidavit of Mary Smith 01.12.16.pdf”.</p>
Submissions	<p>Submissions will always have to be differentiated by identifying the filing party e.g. “BD1234.16 submissions of appellant 01.12.16.pdf”. Otherwise identify type of submissions by name e.g. “BD1234.16 submissions in reply of appellant 03.12.16.pdf”; “BD1234.16 [opening/closing] submissions of co-respondent 01.12.16.pdf”.</p>

Chief Judge KJ O’Brien
6 December 2016