

Practice Direction 2 of 2018

Site Inspections

1. This Practice Direction, issued pursuant to s 22(2) of the *Land Court Act 2000*, defines the process for site inspections in Land Court hearings.
2. In the ordinary course, the court will conduct a site inspection at or shortly before the commencement of a hearing. At the hearing review, the Member hearing the case will decide whether there will be a site inspection and, if so, will settle the arrangements in consultation with the parties.
3. Two working days prior to the hearing review, the parties must provide the associate to the Member hearing the case a proposed site inspection plan that deals with the following matters:
 - (a) the address of any site(s) to be inspected;
 - (b) the date and time proposed for the site inspection;
 - (c) how long the site inspection is expected to take;
 - (d) who will attend and their role in the site inspection;
 - (e) whether there are any special requirements for the site inspection (e.g. particular vehicles).
4. What a party or their representative says to the Member during a site inspection is not evidence in the hearing unless ordered prior to the site inspection. If an order is made for evidence to be taken during a site inspection:
 - a. evidence will only be taken from witnesses specified in the order and only about topics specified in the order; and
 - b. the associate or another court officer will record the evidence on a portable recording device provided by the court.
5. Prior to the site inspection, the parties must:
 - a. agree on who will lead the site inspection; and
 - b. provide the Land Court Registry with a map that shows the meeting point and any sites to be inspected, numbered in the order in which they will be inspected.
6. During the site inspection, the person in control of any site to be inspected is responsible for:
 - a. ensuring the site is safe for inspection and complies with the requirements of relevant acts and regulations;



- b. advising the court as soon as practicable of any special site requirements that it cannot provide;
- c. providing access to a reasonable range of facilities; and if necessary, conducting an induction before the court party enters the site.

Commencement

- 7. This amended Practice Direction commences on 23 May 2025.



PG Stilgoe OAM
President
23 May 2025

