

Between:	<b>JOHN EDWARD MYTTON BARNES and GEOFFREY FREDERICK COOK</b>	Appellants
And	<b>SOUTHERN DOWNS REGIONAL COUNCIL</b>	Respondent
And	<b>THE CHIEF EXECUTIVE, DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT</b>	First Co-respondent
And	<b>McCONAGHY GROUP PTY LTD ACN 108 353 199</b>	Second Co-respondent

**ORDER**

Before His Honour: Judge Rackemann  
Date of Hearing: 21/04/2011  
Date of Order: 21/04/2011

**IT IS ORDERED THAT:**

1. The matter be listed for hearing on 20 May 2011 for the Court to determine whether:
  - (a) the Appellants have a right of appeal with respect to that part of the Decision Notice that represents the response of the First Co-respondent, as a concurrence agency;
  - (b) the third ground of the Appellant's "*Amended Grounds of Appeal and Further and Better Particulars*" should be struck out.
2. The Second Co-respondent file and serve a written outline of submissions and material it wishes to rely upon by 4:00pm on 29 April 2011.
3. Any party that wishes to respond to the Second Co-respondent's outline of submissions file and serve a written outline of submissions and any material it wishes to rely upon by 4:00pm on 9 May 2011.
4. The Second Co-respondent file and serve any reply with respect submission filed pursuant to paragraph 3 herein by 4:00pm on 16 May 2011.

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ORDER  
Filed on behalf of the Second Co-Respondent  
Form PEC-7

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Registrar/Judge