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# Update Summary

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**UPDATE 139**

**APRIL 2025**

**LAND AND ENVIRONMENT COURT  
LAW & PRACTICE NEW SOUTH WALES**

**Editor: Jeff Kildea, Former Acting Commissioner**

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## UPDATE COMMENTARY

Jeff Kildea has provided the following commentary.

### **Civil Procedure Act 2005**

**Section 98:** Types of costs orders are considered with reference to *Joseph v Kiama Municipal Council* [2025] NSWLEC 7. See [CPA.98.20].

### **Uniform Civil Procedure Rules 2005**

**Section 31.19:** Seeking directions regarding expert witnesses is discussed in regard to *Owners of Strata Plan No 76907 v Sydney Metro* [2025] NSWLEC 6. See [UCPR.31.19.10].

**Section 42.5:** Indemnity costs are looked at in regard to *Owners of Strata Plan No 76907 v Sydney Metro* [2025] NSWLEC 6. See [UCPR.42.5.10].