

How to use the handbook

We have included a quick reference checklist and summary of the planning appeals process at the beginning of this handbook. Use this checklist if you are considering becoming involved in a planning appeal: your chances of success will be improved if you do this preparatory ground-work.

The first chapter of the handbook, *Using the Law to Protect the Environment*, provides a basic overview of how you can use **planning law** to protect the environment. You do not need to be an expert in planning to conduct an appeal; however, an understanding of some basic principles will simplify the appeal process for you.

The chapter, *Before You Appeal*, is essential reading prior to commencing an appeal. It:

- sets out the procedural requirements that must be satisfied before you can bring an appeal.
- considers the importance of obtaining advice about your prospects of success.
- provides an overview of the costs and risks of litigation, the resources you will need, specific considerations for groups and the importance of preparation.

If you decide to proceed with an appeal after considering these issues, the handbook will guide you through the various steps in litigation and court procedures.

The chapter, *The Parties, The Lawyers & The Court*, provides an overview of the players in a planning appeal, who they are and what they do.

When an appeal is made to the court, certain formalities and procedural requirements must be satisfied first before the matter is finally heard by the judge. For a summary of the tasks required to prepare for a planning appeal, see the *Quick Reference Checklist – Steps in Litigation & The Hearing*. For more information about preparing for the hearing, the chapter *Steps in Litigation*, takes you through the likely steps leading up to the hearing, starting with the documents you will need to file to commence or join an appeal.

The procedure at the hearing can be daunting for those who are first time litigants. In the chapter, *The Hearing*, we look at how to prepare for the hearing as well as court etiquette and procedure.

In the *Skills* chapter, you will find useful tips and skills to be an effective community litigant. The *Skills* chapter also shows you how to file court documents and deal with threats, and suggests what records you must keep.

In the handbook and during the appeal process you will hear legal terms which, in time, will become familiar to you. Words that appear in **bold** in the text are explained in the glossary in the schedules.

In the schedules, we have also included many sample court documents. While each case is different, you can use the format in the examples to help you draft your own court documents.