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Daily Construction A Daily Bulletin listing Decisions of Superior Courts of Australia

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Executive Summary (1 minute read)

Vella v Minister for Immigration and Border Protection (HCA) - extension of time - migration law - order extending period for making show cause application refused

People for the Plains Incorporated v Santos NSW (Eastern) (NSWSC) - judicial review - proceedings transferred to Land and Environment Court and heard together with related Land and Environment Court proceedings

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Summaries With Link (Five Minute Read)

Vella v Minister for Immigration and Border Protection [2015] HCA 42

High Court of Australia

Gageler J

Extension of time - migration law - show cause - plaintiff sought to challenge decision of Minister for Immigration and Border Protection on 13 June 2014 by application for show cause - whether Court satisfied it was necessary in interests of administration of justice to extend period for making of application - whether case "exceptional" - s486A *Migration Act 1958* (Cth) - held: principle in *University of Wollongong v Metwally (No 2)* was against conclusion that interests of administration of justice necessitated extending time for party to litigate issues which party had already had opportunity to raise - Court not satisfied it was necessary in interests of administration of justice to extend period for making show cause application given length of period for which extension sought and forensic choices made in Federal Court litigation - order under s486A(2) refused - application for an order to show cause dismissed.

[Vella](#)

People for the Plains Incorporated v Santos NSW (Eastern) [2015] NSWSC 1792

Supreme Court of New South Wales

Adamson J

Transfer of proceedings - judicial review - plaintiff sought order pursuant to s149B(2) *Civil Procedure Act 2005* (NSW) that proceedings be transferred to Land and Environment Court and heard together with related proceedings - ss20, 21C *Land and Environment Court Act 1979* (NSW) - *Petroleum (Onshore) Act 1991* (NSW) - held: inimical to interests of justice to conduct parallel proceedings in different courts to determine challenges to separate but related decisions - highly desirable that matters be determined in single court - matter suitable for transfer - Court satisfied it was appropriate to make an order pursuant to s149B(2) *Civil Procedure Act*.

[People for the Plains](#)

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