

PRACTICE DIRECTION NUMBER 8 OF 2014

PLANNING AND ENVIRONMENT COURT

POWER OF ADR REGISTRAR TO MAKE ORDERS OR ISSUE DIRECTIONS

Sec 491B (1) of the *Sustainable Planning Act 2009*

Rule 19 of the *Planning and Environment Court Rules 2010*

1. This Practice Direction supersedes Practice Direction 6 of 2013.
2. The purpose of this Practice Direction is to provide for the ADR Registrar to exercise the power of this court to make an order or issue a direction, in particular circumstances.
3. Definitions:
 - (a) **ADR conference** means a chaired meeting of experts convened under rule 25, a case management conference convened under rule 39, a without prejudice conference convened under rule 41 or a mediation.
 - (b) **Order or direction** means an order or direction of the kind provided for in rule 19 of the Planning and Environment Court Rules.
4. The ADR Registrar may, if the ADR Registrar considers it appropriate, make an order or issue directions about a proceeding if:
 - (a) the active parties consent in writing, or
 - (b) the order or directions are:
 - (i) about the conduct of an ADR conference; or
 - (ii) made at the conclusion of an ADR conference, for the purpose of ensuring the proper and timely progress of the proceeding pending subsequent review by a judge.
5. Where the ADR Registrar has been directed to hear and decide a proceeding, the ADR Registrar may, for the purpose of doing so, also make orders or issue directions about the proceeding.

Chief Judge KJ O'Brien
30 October 2014