

## **ALTERNATIVE DISPUTE RESOLUTION (ADR) CONFERENCES – COVID -19**

In line with the easing of COVID-19 restrictions, in particular the 1 person per 2m<sup>2</sup> density provision, limitations on “in person” Alternative Dispute Resolution (ADR) conferences chaired by the ADR Registrar have been adjusted.

Unless the ADR Registrar grants permission for attendance by telephone or video-link (refer to Schedule A), parties are expected to attend an ADR conference in person. A request for a party or a party member to appear remotely, must be made at least two (2) days prior to the date of the conference.

The following practices will apply as of 7 June 2021 until further notice:

### **ADR conferences in Brisbane**

- To ensure appropriate 1.5m social distancing, in person conferences held in Hearing Room 5 at the Supreme and District Court building, will be limited to a maximum of twenty-four (24) people split equally between the parties. Additional people may participate via video-link or telephone. A party may offer any of their spare seats to another party.
- To ensure appropriate 1.5m social distancing the number of persons allowed within breakout rooms will be limited to a maximum of eight (8) people.
- The breakout rooms do not have conferencing equipment, therefore parties will need to bring their own devices to facilitate discussions with remote attendees during breakout sessions.
- Due to computer software restrictions, remote attendance by video conferences will only be conducted using Microsoft Teams.

### **ADR conferences outside Brisbane**

- In person conferences will be held at the closest regional court building or local government facility with suitable conference facilities, at the discretion of the ADR Registrar.
- The number of attendees will be determined in consultation with the ADR Registrar, and will be based on the room size at the host facility taking into account the 1.5m social distancing requirement.
- Parties should bring their own devices to facilitate remote attendance by other members of their party, as the ADR Registrar cannot guarantee the availability of conferencing equipment outside of the Brisbane court.

- If the ADR Registrar is unable to attend in person, the parties have the option to meet in person at a facility of their choice, with the ADR Registrar chairing the conference remotely.

### **Practices applicable to all ADR conferences**

- If any person:
  - has been directed to quarantine for a period of time which coincides with the date of the ADR conference;
  - is awaiting the results of a COVID-19 test; or
  - has been in a declared COVID-19 hotspot within 14 days of the date of the ADR conference,

they are not to attend the conference in person, but may attend remotely.

- If any person is displaying COVID-19 like symptoms or is generally sick, they are not to attend the conference in person, but may attend remotely. If any person becomes ill during a conference the ADR Registrar is to be informed immediately so that appropriate measures may be implemented.
- Sanitiser and cleaning wipes will be available at conferences held at court facilities. Individuals will responsible for their own sanitiser or wipes at other locations.
- Shared water jugs will not be provided for at conferences held at court facilities. Attendees are encouraged to bring their own water.

These practices will be subject to change depending on advice from Qld Health.

#### **Steve Adams**

ADR Registrar (Planning and Environment Court)  
Supreme, District Courts & Land Courts Service  
Queensland Courts Service  
P: (07)3738 7998  
E: [steven.adams@justice.qld.gov.au](mailto:steven.adams@justice.qld.gov.au)  
E: [PE.Registrar@justice.qld.gov.au](mailto:PE.Registrar@justice.qld.gov.au)



## Schedule A

The following are examples of circumstances in which the ADR Registrar might grant leave for a person to appear remotely at a conference, such as where the person:

- has been directed to quarantine or resides within a declared COVID-19 hotspot;
- is awaiting the results of a COVID-19 test;
- resides interstate (excluding northern NSW);
- resides within Qld or northern NSW, but will take more than 2½ hours drive (one-way) to the place where the conference is to be held;
- is ill, or needs to care for another person;
- has unavoidable work or family commitments (best endeavours should be made to avoid such conflicts);
- will have limited involvement in the discussion (not exceeding 15 minutes), such as a consultant or expert addressing a confined issue;
- will not be actively involved in the discussion, such as an assisting solicitor or observer.

A request to attend the conference remotely must be supported with a reason for the request.

In order to facilitate a productive conference, parties should appear in person whenever possible. In particular each party should have at least one person present who has the authority to settle the matter, as required by section 45(4) of the *Planning and Environment Court Rules 2018*. Where it is intended to discuss design changes involving close examination of plans, attendance by the relevant experts/consultants works best.