

**PRACTICE DIRECTION NUMBER 2 OF 2023**

**PLANNING AND ENVIRONMENT COURT**

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**EARLY RESOLUTION OR DETERMINATION OF APPEALS ABOUT AN  
INFRASTRUCTURE CHARGES NOTICE OR DEVELOPMENT APPROVAL  
CONDITIONS**

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1. This Practice Direction supersedes Practice Direction No. 7 of 2013, which is repealed.
2. This Practice Direction applies to an appeal in the Brisbane Registry about an:
  - (a) infrastructure charges notice; or
  - (b) conditions of a development approval.
3. The purpose of this Practice Direction is to ensure an appeal about an infrastructure charges notice or conditions is subject to an alternative dispute resolution process or a hearing and determination at an early stage.
4. Within one month after commencement of an appeal (calculated from the date of filing) to which this Practice Direction applies, or if the ADR Registrar or the Court is not available within the first month, at the first available opportunity, the parties shall –
  - (a) participate in a without prejudice conference chaired by the ADR Registrar; or
  - (b) participate in a case management conference chaired by the ADR Registrar; or
  - (c) file an application in a proceeding seeking an order that the parties participate in a without prejudice conference, case management conference or mediation chaired by a private mediator.
5. Where the parties do not comply with paragraph 4 of this Practice Direction, the ADR Registrar shall list the proceeding forthwith for review by the Listing Judge, to make orders or directions for the prompt resolution or determination of the proceeding. The Listing Judge is a reference to a Judge of the Court who manages the Brisbane P&E List from time to time.



**Brian Devereaux**  
**Chief Judge**

7 December 2023