



Fact sheet: *Planning and Environment Court Act 2016*

This fact sheet provides a short summary of each part of the *Planning and Environment Court Act 2016*. The Court Act commenced on 3 July 2017, at the same time as the *Planning Act 2016*.

The Court Act is a standalone Act containing provisions about the constitution, composition, jurisdiction and powers of the Planning and Environment Court, including costs rules and alternative dispute resolution processes.

Part	Description
Part 1 – Preliminary	Part 1 establishes preliminary information about the Court Act's title, commencement and dictionary.
Part 2 – Establishment and jurisdiction	Part 2 provides for the continuation of the court, the appointment of judges and the court's jurisdiction. Part 2 also provides that any person may start a court proceeding seeking a declaration about a wide range of matters under the Court Act or the Planning Act. Note: For appeal rights to the court under the Planning Act, see chapter 6 and schedule 1. For enforcement proceedings in the court under the Planning Act, see chapter 5.
Part 3 – Rules and orders or directions	Part 3 provides for the making of court rules about the court's procedures. It also empowers the court to make orders and directions and the chief judge to make practice directions of general application.
Part 4 – Powers and procedure (general)	Part 4 establishes the alternative dispute resolution (ADR) opportunities available in the court, as well as powers of the ADR registrar and the court. It also includes provisions about parties and proceedings. The part provides for ADR processes where the court's ADR registrar can help the parties to achieve an early, inexpensive settlement or resolution of the dispute. It also provides for the ADR registrar to hear and decide court proceedings if the court directs.
Part 5 – Planning Act proceedings	Part 5 only applies to court proceedings about matters under the Planning Act and declaratory proceedings. It sets out information about Planning Act appeals, including information about which parties are responsible for establishing that an appeal must be upheld or dismissed. It also provides information about evidence in proceedings.

