

## DIRECTIONS HEARINGS

Procedural matters may arise during either a Registration or Permit Review Hearing ('Hearing'). Directions as to procedural matters may be given at any time during the course of a Hearing. However, it may sometimes be preferable to consider matters of a preliminary or procedural nature prior to a Hearing. If a Heritage Council Registration or Permit Review committee ('Committee') considers that matters of a preliminary or procedural nature are best addressed prior to a Hearing, a Directions Hearing may be held.

### 1. Purpose of a Directions Hearing

A Directions Hearing may be held in order to:

- a) Identify and consider matters of a preliminary or procedural nature that can be resolved prior to a Hearing and give directions relating to those matters.
- b) Explain the context and purpose of a Hearing, answer any questions that participants may have and clarify the role of participants, expert witnesses and the Committee.
- c) Make suitable arrangements for a Hearing.

No submissions in relation to the subject matter of a Hearing will be sought or received at a Directions Hearing.

### 2. Matters relevant in considering whether or not to hold a Directions Hearing

A Directions Hearing is not required prior to a Hearing, but may be held if a Committee considers it necessary or desirable to give directions prior to a Hearing in relation to preliminary or procedural matters, including:

- (a) Timetabling and availability;
- (b) Issues relating to an application to lodge amended plans;
- (c) Issues relating to a request for an adjournment;
- (d) Hearing and/or site visit arrangements;
- (e) The admissibility and relevance of material;
- (f) Issues relating to expert witness evidence;
- (g) The conduct of a Hearing;
- (h) Any other preliminary or procedural matters.

### 3. Arrangements for Directions Hearings

If you are notified of a Hearing, the Committee will request that you complete and return either "Heritage Council Form B – Registration Hearing Participation Form" or "Heritage Council Form D – Permit Review Hearing Participation Form", depending on the type of hearing. Based on receipt of these forms and after a consideration of the matters listed above, the Committee may invite participants to attend a Directions Hearing. It is expected that all participants attend a Directions Hearing unless otherwise directed. The Heritage Council Secretariat may liaise with Hearing participants in order to arrange the time and location of the Directions Hearing.

## **HERITAGE COUNCIL PROTOCOL 5**

A Directions Hearing may take place at any time and may be scheduled at relatively short notice.

### **4. Directions Hearings - Submissions**

All participants will be afforded the opportunity to make verbal submissions and raise questions that relate to the matters to be considered at the Directions Hearing.

Participants may be asked to make written submissions on particular procedural matters. All written submissions received will be circulated to other Hearing participants.

### **5. Issuing directions following a Directions Hearing**

Written directions will be issued following any Directions Hearing.