



## Magistrates Court of Western Australia

### WARDEN'S COURT

## Practice Direction Number 2 of 2023

1. All previous Practice Directions applicable to the Warden's Court or the Warden sitting administratively, in Meekatharra, are revoked.
2. This Practice Direction applies to matters listed in the Warden's Court and to matters where the Warden is sitting administratively in Meekatharra in Western Australia.
3. The purpose of this Practice Direction is to assist in the efficient, expeditious and fair determination of disputes in the jurisdiction.
4. In order to better manage proceedings, all Part IV Proceedings and proceedings before the Warden's Court, lodged with a Mining registrar for hearing before the Warden sitting at Meekatharra, will be listed for 1<sup>st</sup> mention hearings and case management mentions (Mention) before the Mining Warden at Meekatharra **sitting in Perth**.
5. Any existing matters listed for mention or hearing in Meekatharra at any point from the date of this Practice Direction, are, pursuant to Regulation 170(1) & (2) and Regulation 152(1)(a)(i) of the Mining Regulations 1981 WA, hereby listed for their next mention or hearing dates, and all mention or hearing dates henceforth, before the Mining Warden at Meekatharra **sitting in Perth**.
6. Subject to any direction of the Warden, any party to a proceeding that resides outside of the Perth metropolitan area and who is not represented by a legal practitioner or duly authorised agent in Perth, shall advise the Warden's Court Officer, DMP, Minerals House, 100 Plain St, East Perth, WA 6004, or by email to [wardens.officer@dmp.wa.gov.au](mailto:wardens.officer@dmp.wa.gov.au) providing contact details no less than 7 days prior to a mention or hearing date.
7. All parties to proceedings before the Meekatharra Warden who wish to adjourn any mention hearing by consent must file their minute of proposed consent orders with the Meekatharra Mining Registrar by no later than 4pm at least 7 days before the mention or hearing date.
8. Any party to a proceeding who intends to appear at a Mention by audio link must be in a suitable place to facilitate an audio link to ensure there is no unnecessary difficulty in communication.
9. In the event the venue for the final hearing of any Part IV Proceedings or proceedings before the Warden's Court is in issue, the venue for the final hearing will be determined by the Warden in Perth after hearing from the parties. For the avoidance of doubt, parties are advised that the sitting Perth Warden's are empowered to conduct hearings in the regions as might be required in any particular case.

10. The prescribed procedures for the lodging of Part IV Proceedings and proceedings before the Warden's Court under the provisions of the Mining Act and Regulations, are not affected by this Practice Direction.
11. This Practice Direction takes effect from 14 April 2023.

A handwritten signature in black ink, appearing to read 'Steven Heath', with a long horizontal flourish extending to the right.

Steven Heath  
**Chief Magistrate**

Dated: 14 April 2023