



Government Gazette

OF THE STATE OF

NEW SOUTH WALES

Week No. 17/2012

Friday, 27 April 2012

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DEADLINES

Attention Advertisers . . .

Government Gazette inquiry times are:

Monday to Friday: 8.30 am to 4.30 pm

Phone: (02) 9228 3120 Fax: (02) 9372 7422

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GOVERNMENT GAZETTE DEADLINES

Close of business every Wednesday

Except when a holiday falls on a Friday, deadlines will be altered as per advice given on this page.

Special Supplements

A Special Supplement or Extraordinary Supplement is a document which has a legal requirement to commence on a certain date and time. Release of Publication is required on the same day. The request for a Supplement is received from the department to the *Government Gazette* by telephone. The copy must be accompanied by a letter or email requesting the Supplement and signed by a Minister or Head of a Department.

NOTE: Advance notice of a Special Supplement is essential as early as possible on the day required. On Thursdays early notice is a priority and when possible notice should be given a day prior being the Wednesday.

Please Note:

- *Only electronic lodgement of Gazette contributions will be accepted. If you have not received a reply confirming acceptance of your email by the close of business on that day please phone 9228 3120.*

Department of Finance and Services Tenders

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Finance and Services proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

SEE the Government Gazette website at:
<http://nsw.gov.au/gazette>



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 44
Friday, 27 April 2012

Published under authority by Government Advertising

LEGISLATION

Online notification of the making of statutory instruments

Week beginning 16 April 2012

THE following instruments were officially notified on the NSW legislation website (www.legislation.nsw.gov.au) on the dates indicated:

Regulations and other statutory instruments

Local Government (General) Amendment (Minimum Rates) Regulation 2012 (2012-155) — published LW 20 April 2012

Private Health Facilities Amendment (Rapid Opioid Detoxification) Regulation 2012 (2012-156) — published LW 20 April 2012

Public Holidays Amendment (Coffs Harbour City Council and Lismore City Council) Order 2012 (2012-157) — published LW 20 April 2012

Environmental Planning Instruments

Liverpool Local Environmental Plan 2008 (Amendment No 9) (2012-158) — published LW 20 April 2012

Narrabri Local Environmental Plan Amendment (Land Uses) 2012 (2012-159) — published LW 20 April 2012

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 8) (2012-160) — published LW 20 April 2012

Temora Local Environmental Plan 2010 (Amendment No 1) (2012-161) — published LW 20 April 2012

OFFICIAL NOTICES

Roads and Maritime Services

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 the Road Transport (Mass, Loading and Access) Regulation 2005

KEMPSEY SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 20 March 2012.

DAVID RAWLINGS,
General Manager,
Kempsey Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Kempsey Shire Council 25 Metre B-Double route Notice No. 1/2012.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Queen Street, South Kempsey	Nance Road	100 m to north of Queen Street / Nance Road intersection (Australia Post Mail Centre)	

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 the Road Transport (Mass, Loading and Access) Regulation 2005

QUEANBEYAN CITY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 19 April 2012.

GARY CHAPMAN,
General Manager,
Queanbeyan City Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Queanbeyan City Council 25 Metre B-Double Route Notice No. 1/2012.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m		Bayldon Road, Queanbeyan	Gordon Avenue (Turn Left)	Ablett's Transport Depot, 66 Bayldon Road	

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under Clause 20 the Road Transport (Mass, Loading and Access) Regulation 2005

WOLLONDILLY SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 10 October 2011.

LES McMAHON,
General Manager,
Wollondilly Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Wollondilly Shire Council 25 Metre B-Double route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Rockford Road, Tahmoor	MR620 Remembrance Drive	Ralfe Street	

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Cooma
in the Cooma-Monaro Shire Council area

Roads and Maritime Services, by its delegate, dedicates
the land described in the schedule below as public road
under section 10 of the Roads Act 1993.

Anna C North
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

SCHEDULE

ALL that piece or parcel of land situated in the Cooma-
Monaro Shire Council area, Parish of Cooma and
County of Beresford, shown as Lot 10 Deposited Plan
448202.

(RMS Papers: SF2012/010144; RO 4/97.125)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Dulwich Hill in the Marrickville Council area

Roads and Maritime Services, by its delegate, dedicates
the land described in the schedule below as public road
under section 10 of the Roads Act 1993.

Anna C North
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

SCHEDULE

ALL that piece or parcel of land situated in the
Marrickville Council area, Parish of Petersham and
County of Cumberland, shown as Lot 1 Deposited Plan
394903.

(RMS Papers: SF2012/010204; RO 10.1355)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Woy Woy in the Gosford City Council area

Roads and Maritime Services, by its delegate, dedicates
the land described in the schedule below as public road
under section 10 of the Roads Act 1993.

Anna C North
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

SCHEDULE

ALL those pieces or parcels of land situated in the
Gosford City Council area, Parish of Patonga and
County of Northumberland, shown as Lots 33, 34 and
35 Deposited Plan 1152193.

Department of Trade and Investment, Regional Infrastructure and Services

AGRICULTURAL INDUSTRY SERVICES ACT 1998

Revocation of Appointment of Inspector

I, MARK I. PATERSON, A.O., Director General of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to section 41A of the Agricultural Industry Act 1998 hereby revoke the appointment of Terry David RAFFERTY as published in the *New South Wales Government Gazette* No. 95 of 28 July 2006 at page 5932 and any appointment revived as a result of this revocation.

Dated this 19th day of April 2012.

MARK I. PATERSON, A.O.,
Director General,
Department of Trade and Investment,
Regional Infrastructure and Services

Helen Katrina TETLAW
David Vaughan McIVER
Gregory John WASSELL
Graeme Alexander BROWN
Maryanne NOLAN
Terry David RAFFERTY
Christopher James WETHERALL
Terrence John GRANT
Keith William OLIVER

Dated this 19th day of April 2012.

MARK I PATERSON, A.O.,
Director General,
Department of Trade and Investment,
Regional Infrastructure and Services

DRUG MISUSE AND TRAFFICKING ACT 1985

Revocation of Appointment of Persons to Give Certificates

I, MARK I. PATERSON, A.O., Director General of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to section 43 (5) of the Drug Misuse and Trafficking Act 1985 ("the Act") hereby revoke the appointments of the following persons as persons to give certificates for the purposes of section 43 of the Act:

Jeffrey William Alexander EVANS,
David Vaughan McIVER,
Terrence John GRANT,
Gregory John WASSELL,
Stephen James WATERSON,
Christopher James WETHERALL,
Maryanne NOLAN and
Terry David RAFFERTY,

as published in the *New South Wales Government Gazette* No. 26 of 18 February 2005 at pages 440 and 441 and any appointment revived as a result of this revocation.

Dated this 19th day of April 2012.

MARK I. PATERSON, A.O.,
Director General,
Department of Trade and Investment,
Regional Infrastructure and Services

STOCK FOODS ACT 1940

Revocation of Authorisation of Inspectors

Section 20 Order

I, MARK I. PATERSON, A.O., Director General of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to section 20 of the Stock Foods Act 1940 ("the Act") and section 47 (1) (b) (i) of the Interpretation Act 1987, hereby revoke the authorisation of the following persons as inspectors for the purposes of the Act and any appointment revived as a result of this revocation:

Melanie Gai SCANES

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T12-1076)

No. 4529, ARGENT (KEMPFIELD) PTY LTD (ACN 155 759 550), area of 25 units, for Group 1, dated 18 April 2012 (Orange Mining Division).

(T12-1077)

No. 4530, PMR3 PTY LTD (ACN 145 105 148), area of 100 units, for Group 1, dated 18 April 2012 (Broken Hill Mining Division).

(T12-1079)

No. 4532, CGNM RESOURCES PTY LTD (ACN 139 443 137), area of 100 units, for Group 1, dated 19 April 2012 (Sydney Mining Division).

(T12-1080)

No. 4533, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 38 units, for Group 1, dated 23 April 2012 (Orange Mining Division).

(T12-1081)

No. 4534, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 56 units, for Group 1, dated 23 April 2012 (Orange Mining Division).

(T12-1082)

No. 4535, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 94 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1083)

No. 4536, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 96 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1084)

No. 4537, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 90 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1085)

No. 4538, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 48 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1086)

No. 4539, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 82 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1087)

No. 4540, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 72 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1088)

No. 4541, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 94 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1089)

No. 4542, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 96 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1090)

No. 4543, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 78 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1091)

No. 4544, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 65 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1092)

No. 4545, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 87 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1093)

No. 4546, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 92 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1094)

No. 4547, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 96 units, for Group 1, dated 23 April 2012 (Wagga Wagga Mining Division).

(T12-1095)

No. 4548, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 100 units, for Group 1, dated 23 April 2012 (Cobar Mining Division).

(T12-1096)

No. 4549, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 91 units, for Group 1, dated 23 April 2012 (Orange Mining Division).

(T12-1097)

No. 4550, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 100 units, for Group 1, dated 23 April 2012 (Wagga Wagga Mining Division).

(T12-1098)

No. 4551, EJ RESOURCES PTY LTD (ACN 157 904 437), area of 100 units, for Group 1, dated 23 April 2012 (Orange Mining Division).

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T11-0293)

No. 4379, now Exploration Licence No. 7918, THARSIS MINING PTY LTD (ACN 135 552 742), Counties of Hawes and Macquarie, Map Sheet (9335), area of 90 units, for Group 1, dated 4 April 2012, for a term until 4 April 2014.

(T11-0294)

No. 4380, now Exploration Licence No. 7919, THARSIS MINING PTY LTD (ACN 135 552 742), County of Argyle, Map Sheet (8827, 8828, 8928), area of 83 units, for Group 1, dated 4 April 2012, for a term until 4 April 2014.

(T11-0339)

No. 4423, now Exploration Licence No. 7920, PMR1 PTY LTD (ACN 145 210 528), Counties of Argyle, Murray and St Vincent, Map Sheet (8827, 8828), area of 100 units, for Group 1, dated 5 April 2012, for a term until 5 April 2014.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

NOTICE is given that the following applications have been refused:

EXPLORATION LICENCE APPLICATIONS

(T10-0226)

No. 4090, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8631). Refusal took effect on 11 April 2012.

(T10-0288)

No. 4132, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), County of Bathurst and County of Roxburgh, Map Sheet (8731). Refusal took effect on 11 April 2012.

(T11-0123)

No. 4239, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, Map Sheet (8730, 8731). Refusal took effect on 11 April 2012.

(T11-0125)

No. 4241, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8631). Refusal took effect on 11 April 2012.

(T11-0172)

No. 4286, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, County of Forbes and County of King, Map Sheet (8630). Refusal took effect on 11 April 2012.

(T11-0173)

No. 4287, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, County of Forbes, County of King and County of Monteagle, Map Sheet (8629, 8630). Refusal took effect on 11 April 2012.

(T11-0233)

No. 4326, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, County of Gordon and County of Wellington, Map Sheet (8631, 8632, 8731, 8732). Refusal took effect on 11 April 2012.

(T11-0351)

No. 4432, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst and County of Georgiana, Map Sheet (8730). Refusal took effect on 12 April 2012.

(T11-0352)

No. 4433, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, Map Sheet (8630). Refusal took effect on 12 April 2012.

(T11-0353)

No. 4434, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham and County of Bathurst, Map Sheet (8630). Refusal took effect on 12 April 2012.

(T11-0354)

No. 4435, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham and County of Bathurst, Map Sheet (8630, 8631). Refusal took effect on 12 April 2012.

(T11-0355)

No. 4436, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8631). Refusal took effect on 12 April 2012.

(T11-0356)

No. 4437, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, County of Bathurst and County of Wellington, Map Sheet (8631, 8731). Refusal took effect on 12 April 2012.

(T11-0357)

No. 4438, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst and County of Wellington, Map Sheet (8731). Refusal took effect on 12 April 2012.

(T11-0358)

No. 4439, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham and County of Wellington, Map Sheet (8631, 8731). Refusal took effect on 12 April 2012.

(T11-0359)

No. 4440, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8531). Refusal took effect on 12 April 2012.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

NOTICE is given that the following applications for renewal have been received:

(07-2717)

Authorisation No. 435, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 79 hectares. Application for renewal received 18 April 2012.

(08-2671)

Exploration Licence No. 4962, TRITTON RESOURCES PTY LTD (ACN 100 095 494), area of 123 units. Application for renewal received 18 April 2012.

(12-2036)

Exploration Licence No. 5417, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 193 hectares. Application for renewal received 18 April 2012.

(12-2035)

Exploration Licence No. 5418, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 38.2 hectares. Application for renewal received 18 April 2012.

(T01-0210)

Exploration Licence No. 5942, ALKANE RESOURCES LTD (ACN 000 689 216), area of 6 units. Application for renewal received 23 April 2012.

(07-0348)

Exploration Licence No. 7129, JANE MCCLURE, area of 4 units. Application for renewal received 20 April 2012.

(T07-0513)

Exploration Licence No. 7131, MINCOR COPPER PTY LTD (ACN 120 024 777), area of 31 units. Application for renewal received 19 April 2012.

(12-2066)

Exploration Licence No. 7514, GEOPROSPECT PTY LTD (ACN 139 704 993), area of 74 units. Application for renewal received 13 April 2012.

(T09-0190)

Exploration Licence No. 7556, BLIGH RESOURCES LIMITED (ACN 130 964 162), area of 72 units. Application for renewal received 26 March 2012.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(12-0697)

Exploration Licence No. 6452, WHITE ROCK (MTC) PTY LTD (ACN 132 461 575), County of Buller, Map Sheet (9340), area of 45 units, for a further term until 21 July 2013. Renewal effective on and from 17 April 2012.

(12-0696)

Exploration Licence No. 6453, WHITE ROCK (MTC) PTY LTD (ACN 132 461 575), County of Drake, Map Sheet (9339, 9340, 9439), area of 19 units, for a further term until 21 July 2013. Renewal effective on and from 17 April 2012.

(12-0043)

Exploration Licence No. 6854, EMX EXPLORATION PTY LTD (ACN 139 612 427), County of Yungnulgra, Map Sheet (7436), area of 20 units, for a further term until 8 August 2013. Renewal effective on and from 19 April 2012.

(07-0239)

Exploration Licence No. 6940, SMITH ENGINEERING SYSTEMS PTY LIMITED (ACN 102 841 109), County of Beresford, Map Sheet (8725), area of 14 units, for a further term until 6 November 2013. Renewal effective on and from 19 April 2012.

(10-2890)

Mining Purposes Lease No. 1389 (Act 1906), LAKECOAL PTY LTD (ACN 094 084 787) AND FASSI COAL PTY LTD (ACN 147 642 386), Parish of Wallarah, County of Northumberland, Map Sheet (9231-4-S), area of 866.2 square metres, for a further term until 14 May, 2031. Renewal effective on and from 30 March 2012.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

TRANSFER

(12-1528)

Exploration Licence No. 7394, formerly held by MIDWEST DEVELOPMENT CORPORATION PTY LIMITED (ACN 130 594 204), MID WEST PRIMARY PTY LTD (ACN 130 271 546) AND ROCKY POINT HOLDINGS PTY LTD (ACN 130 594 259) has been transferred to COBBORA HOLDING COMPANY PTY LIMITED (ACN 147 813 125). The transfer was registered on 19 April 2012.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

PLANT DISEASES (NSW FRUIT FLY EXCLUSION ZONE AND

Greater Sunraysia Pest Free Area) Order 2012

under the Plant Diseases Act 1924

I, SATENDRA KUMAR, Director, Plant Biosecurity of the Department of Trade and Investment, Regional Infrastructure and Services, with the delegated authority of the Minister for Primary Industries in pursuance of section 3A of the Plant Diseases Act 1924 (“the Act”), and in pursuance of sections 3 (2) and 4 of the Act being of the opinion that the importation, introduction or bringing of host fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into specified portions of New South Wales, make the following Order regulating the importation, introduction or bringing of host fruit into specified portions of New South Wales.

1 Name of Order

This Order is the Plant Diseases (NSW Fruit Fly Exclusion Zone and Greater Sunraysia Pest Free Area) Order 2012.

2 Commencement

This Order commences on the date it is published in the *NSW Government Gazette*.

3 Interpretation

In this Order:

approved treatment means the treatment and manner and timing of harvest and packing relevant to the type of host fruit, as specified in Schedule 8.

approved systems approach means the risk management measures relevant to the type of host fruit, as specified in Schedule 9.

APVMA means the Australian Pesticides and Veterinary Medicines Authority.

area freedom certificate means a certificate:

- (a) approved by the officer responsible for plant biosecurity in the State or Territory where the host fruit was grown or packed, and
- (b) certifying that the State or Territory or that part of the State or Territory where the host fruit was grown or packed is known to be free of Queensland fruit fly.

assorted tropical and sub-tropical fruits – inedible peel means the host fruit specified in Schedule 4, being host fruit classified as such in accordance with the Codex Classification of Foods and Animal Feeds.

authorised person means an inspector or a person authorised pursuant to section 11 (3) of the Act.

certificate means a Plant Health Certificate or a Plant Health Assurance Certificate.

Certification Assurance Arrangement means an arrangement approved by the Department of Primary Industries which enables a business accredited under the arrangement to certify that certain quarantine requirements have been satisfied for the movement of host fruit to interstate and/or intrastate markets.

Note: An example of an approved Certification Assurance Arrangement is the Interstate Certification Assurance (ICA) Scheme.

citrus fruits means the host fruit specified in Schedule 5, being host fruit classified as such in accordance with the Codex Classification of Foods and Animal Feeds.

composite lots means a consignment comprising packages of different types of host fruit sourced from one or more suppliers.

Codex Classification of Foods and Animal Feeds means the listing of food commodities in trade classified into groups on the basis of the commodity’s similar potential for pesticides residues, as published by the Joint Food and Agriculture Organization of the United Nations (FAO)/World Health Organisation (WHO) Food Standards Programme Codex Alimentarius Commission (publication available at <http://www.codexalimentarius.net>).

free of broken skin means the skin has no pre-harvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and that have not healed with callus tissue.

fruiting vegetables, other than cucurbits means the host fruit specified in Schedule 6, being host fruit classified as such in accordance with the Codex Classification of Foods and Animal Feeds.

Greater Sunraysia (NSW Portion) Pest Free Area means the portion of New South Wales described in Schedule 2.

Greater Sunraysia (Victoria Portion) Pest Free Area means the part of Victoria declared as a restricted area under section 20 of the Plant Health and Plant Products Act 1995 (Vic) for the control of Queensland fruit fly.

host fruit means the fruit specified in Schedule 3, being fruit which is susceptible to infestation by Queensland fruit fly.

lot means a discrete quantity of fruit received from one grower at one time.

New South Wales Fruit Fly Exclusion Zone or **NSW FFEZ** means the portion of New South Wales specified in Schedule 1.

outbreak area means an area within a 1.5 kilometre radius of the epicentre of an outbreak of Queensland fruit fly.

Plant Health Assurance Certificate means a document (known as a Plant Health Assurance Certificate) issued by a business accredited under a Certification Assurance Arrangement.

Plant Health Certificate means a document (known as a Plant Health Certificate) issued by:

- (a) an authorised person; or
- (b) a person authorised to issue such a certificate under a law of another State or Territory that relates to plant biosecurity.

Queensland fruit fly means the pest *Bactrocera tryoni* (Froggatt).

suspension area means an area within a 15 kilometre radius of the epicentre of an outbreak of Queensland fruit fly (excluding an outbreak area).

the Act means the Plant Diseases Act 1924.

Note: **Department, covering or package, inspector, occupier** and **owner** all have the same meaning as in the Act.

4 Revocation

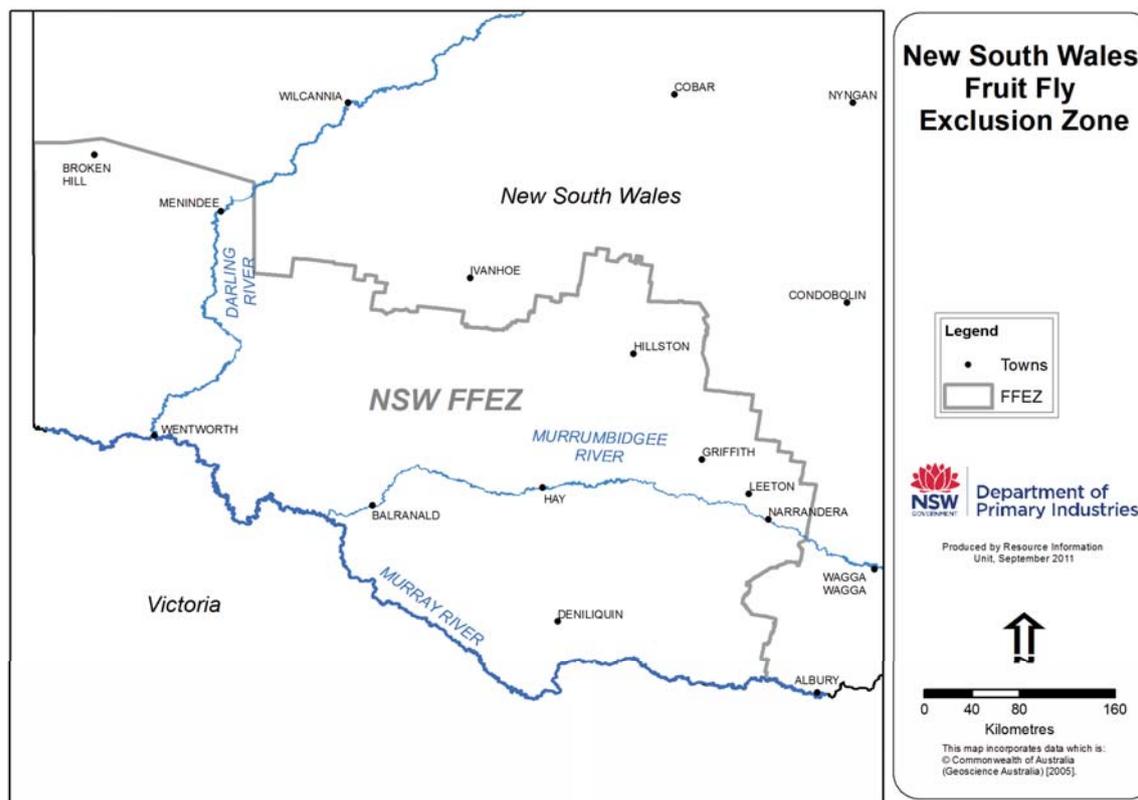
Pursuant to sections 4 and 3 (2) of the Act the Plant Diseases (NSW Fruit Fly Exclusion Zone and Greater Sunraysia Pest Free Area) Order 2011 published on the Department's internet website on 7 October 2011 and in *NSW Government Gazette* No. 99 of 14 October 2011 at pages 6058 to 6069, is revoked (as is any instrument revived as a result of this revocation).

5 Regulation of the movement of host fruit

- (1) Pursuant to section 4 (1) of the Act the importation, introduction or bringing of host fruit into specified portions of New South Wales is regulated as specified in this clause.
- (2) Host fruit from any area outside the NSW FFEZ must not be moved into the NSW FFEZ (excluding the Greater Sunraysia (NSW Portion) Pest Free Area) unless:
 - (a) the host fruit is grown and packed in a State or Territory or part of a State or Territory, for which an area freedom certificate is currently in force and the packaging containing the host fruit is legibly marked with:
 - (i) the name and postcode of the city or town nearest to the locality where the host fruit was grown; and
 - (ii) a description of the contents of the package; or
 - (b) the movement is as specified in Schedule 7 and complies with the relevant conditions of exception set out in Schedule 7.
- (3) Host fruit from any area outside the Greater Sunraysia (NSW Portion) Pest Free Area must not be moved into the Greater Sunraysia (NSW Portion) Pest Free Area, unless:
 - (a) the host fruit is grown and packed within the Greater Sunraysia (Victoria Portion) Pest Free Area (excluding any outbreak area and suspension area) and legibly marked with:
 - (i) the name and postcode of the city or town nearest to the locality where the host fruit was grown; and
 - (ii) a description of the contents of the package; or
 - (b) the movement is as specified in Schedule 7 and complies with the relevant conditions of exception set out in Schedule 7.
- (4) Host fruit grown and packed within the Greater Sunraysia (NSW Portion) Pest Free Area (excluding any outbreak area and suspension area) must not be moved into the NSW FFEZ unless the packaging containing the host fruit is legibly marked with:
 - (a) the name and postcode of the city or town nearest to the locality where the host fruit was grown; and
 - (b) a description of the contents of the package.
- (5) The movement of any host fruit in accordance with paragraph 1 of Schedule 7 must be accompanied by:
 - (a) a Plant Health Certificate certifying:
 - (i) the origin of the host fruit; and
 - (ii) that the host fruit has been grown and packed in an area free of Queensland fruit fly; or
 - (b) a Plant Health Assurance Certificate issued under a Certification Assurance Arrangement.
- (6) The movement of any host fruit in accordance with paragraph 2 of Schedule 7 must be accompanied by:
 - (a) a Plant Health Certificate certifying:
 - (i) the origin of the host fruit; and
 - (ii) that the host fruit has received an approved treatment; or
 - (iii) that the host fruit has been grown and packed in accordance with an approved systems approach; or
 - (b) a Plant Health Assurance Certificate issued under a Certification Assurance Arrangement.
- (7) Host fruit that has been moved in accordance with Schedule 7 and the accompanying certificate must, on arrival in the NSW FFEZ or the Greater Sunraysia (NSW Portion) Pest Free Area, be presented to:
 - (a) a business accredited under a Certification Assurance Arrangement; or
 - (b) an authorised person,for verification that the host fruit corresponds with the accompanying certificate.

SCHEDULE 1 – New South Wales Fruit Fly Exclusion Zone

All land in the Local Government Areas of: Balranald, Berrigan, Broken Hill, Carrathool, Conargo, Deniliquin, Griffith, Hay, Jerilderie, Leeton, Murray, Murrumbidgee, Narrandera, Urana, Wakool, Wentworth and, that part of Central Darling Local Government Area, being the area south and west of Balaka Lake, and all of Corowa Local Government Area **EXCLUDING** that part of Corowa Local Government Area east of a line which commences at the intersection of Lavis Road, County of Hume, Parish of Quat Quatta, Local Government Area of Greater Hume and Carroll Lane, County of Hume, Parish of Quat Quatta, Local Government Area of Corowa, and proceeds in a generally southerly direction along Carroll Lane to where Carroll Lane intersects with the Riverina Highway and then continues along the same bearing as Carroll Lane until the line intersects with the Murray River, and all land in that part of the western unincorporated area of the State south of Stephens Creek.

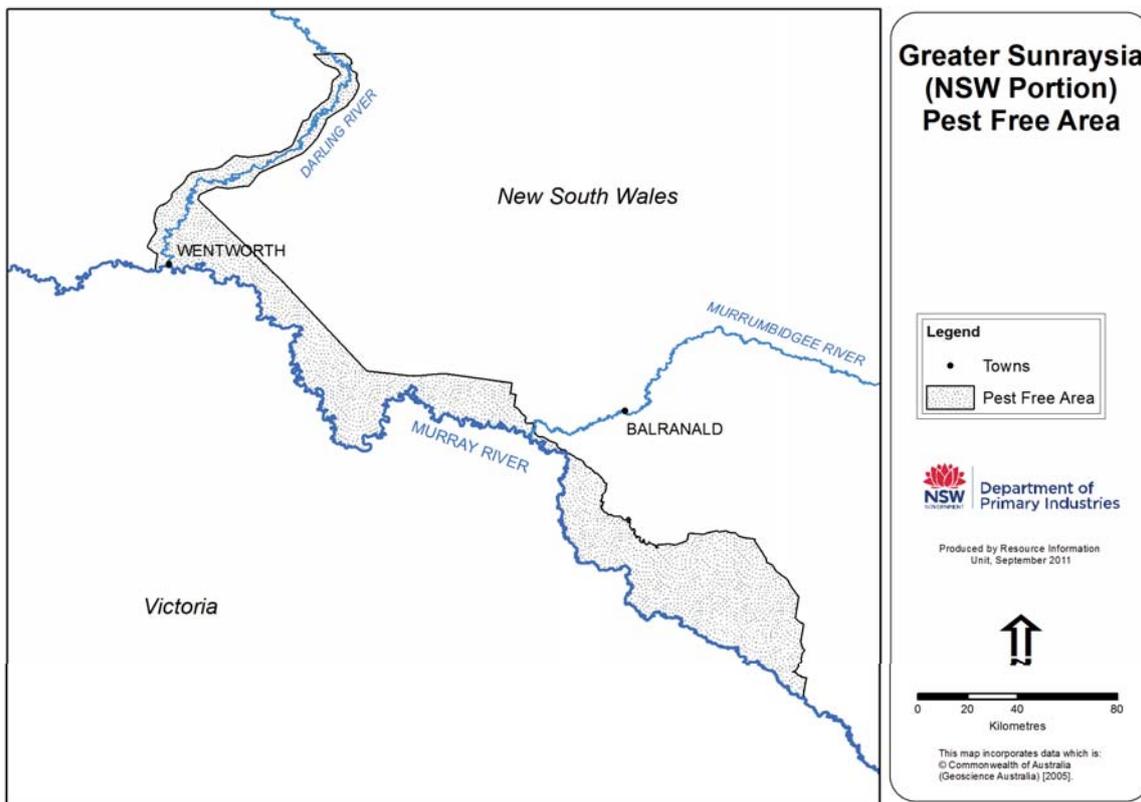


SCHEDULE 2 – Greater Sunraysia (NSW Portion) Pest Free Area

The area of land bounded by a line commencing at the intersection of the Murray River and the western boundary of the Parish of Wentworth, County of Wentworth, then in a generally northerly direction by the Parish of Wentworth boundary to its intersection with the Silver City Highway, then in a north westerly direction along the Silver City Highway to the intersection of the Silver City Highway and High Darling Road, then in a north easterly direction along High Darling Road to the intersection of High Darling Road and Polia Road, then in northerly direction along Polia Road to grid line 070 (grid reference 366070, Cuthero), then in a straight line in an easterly direction to Pooncarie – Menindee Road (grid reference 465070 Pooncarie), then in a south easterly direction along Pooncarie – Menindee Road, which becomes Tarcoola Street, which becomes Wentworth – Pooncarie Road, then in a generally south westerly direction along Wentworth – Pooncarie Road to the intersection of Wentworth – Pooncarie Road and an unnamed road (grid reference 943518, Para), then in a south westerly direction along the unnamed road to the intersection with an unnamed road (grid reference 204207, Mildura East), then in a south westerly direction along the unnamed road to the intersection with an unnamed road (grid reference 174111, Mildura East), then in a south easterly direction along the unnamed road to the intersection of the unnamed road and the Sturt Highway (grid reference 230035, Karadoc), then in a south easterly direction along the Sturt Highway to the intersection with an unnamed road (grid reference 537763, Robinvale), then in a northerly direction along the unnamed road to the intersection with an unnamed road (grid reference 547778, Robinvale), then in a generally easterly direction along the unnamed road to the intersection with Leslie Drive (grid reference 604767, Robinvale), then in an easterly direction along Leslie Drive to an intersection with an unnamed road (grid reference 620766, Robinvale), then along the unnamed road to an intersection with an unnamed road (grid reference 627765, Robinvale), then in a south easterly direction along the unnamed road to the intersection with the Sturt Highway (grid reference 631760, Robinvale), then in a generally easterly direction along the Sturt Highway to an intersection with an unnamed road (grid reference 988714, Waldaira Lake), then in a southerly direction along the unnamed road to the intersection with an unnamed road (grid reference 983675, Waldaira Lake), then in a generally south easterly direction along the unnamed road to the intersection with an unnamed road (grid reference 040600, Waldaira Lake), then in a straight line in a south easterly direction to the intersection of Weimby – Benongal Road and Weimby Road (grid reference 084536, Waldaira Lake), then in a south easterly direction along Weimby Road, which becomes Weimby – Kyalite Road, to the intersection of Weimby – Kyalite Road and an unnamed road (grid reference 256383, Windomal), then in a straight line in a southerly direction to Wakool River (grid reference 256348, Windomal), then in a south easterly direction along Wakool River to the intersection of Wakool River and Moulamein Road,

then in a generally easterly direction along Moulamein Road, to the intersection with the Moulamein Barham Road, then in a generally south westerly direction along the Moulamein Barham Road to its intersection with the northern boundary of the Parish of Barham, County of Wakool, then in a generally south easterly direction along the eastern boundary of the Parish of Barham to its intersection with the Murray River, then in a generally north westerly direction along the Murray River to the point of commencement.

- ‘Cuthero’ 1:100,000 Topographic Map 7331
- ‘Karadoc’ 1:50,000 Topographic Map 7329-S
- ‘Mildura East’ 1:50,000 Topographic Map 7329-N
- ‘Para’ 1:100,000 Topographic Map 7330
- ‘Pooncarie’ 1:100,000 Topographic Map 7431
- ‘Robinvale’ 1:50,000 Topographic Map 7428-N
- ‘Waldaira Lake’ 1:50,000 Topographic Map 7528-N
- ‘Windomal’ 1:50,000 Topographic Map 7528-S



SCHEDULE 3 – Host fruit

- | | | |
|----------------------------|-----------------|------------------|
| Abiu | Feijoa | Papaya |
| Acerola | Fig | Peach |
| Apple | Granadilla | Peacharine |
| Apricot | Grape | Pear |
| Avocado | Grapefruit | Pepino |
| Babaco | Guava | Persimmon |
| Banana | Hog plum | Plum |
| Black sapote | Jaboticaba | Plumcot |
| Blackberry | Jackfruit | Pomegranate |
| Blueberry | Jew plum | Prickly pear |
| Boysenberry | Ju jube | Pummelo (Pomelo) |
| Brazil cherry (Grumichama) | Kiwifruit | Quince |
| Breadfruit | Lemon | Rambutan |
| Caimito (Star apple) | Lime | Raspberry |
| Cape gooseberry | Loganberry | Rollinia |
| Capsicum | Longan | Rose apple |
| Carambola (Starfruit) | Loquat | Santol |
| Cashew Apple | Lychee (Litchi) | Sapodilla |
| Casimiro (White sapote) | Mandarin | Shaddock |
| Cherimoya | Mango | Soursop |

Cherry	Mangosteen	Sweetsop (Sugar apple)
Chilli	Medlar	Strawberry
Citron	Miracle fruit	Tamarillo
Cumquat	Mulberry	Tangelo
Custard apple	Nashi	Tomato
Date	Nectarine	Wax jambus
Durian	Orange	
Eggplant	Passionfruit	

SCHEDULE 4 – Assorted tropical and sub-tropical fruits – inedible peel

Avocado	Granadilla	Persimmon (inedible peel varieties only)
Banana	Guava (inedible peel varieties only)	Pomegranate
Black sapote	Jackfruit	Prickly pear
Breadfruit	Kiwifruit (inedible peel varieties only)	Rambutan
Caimito (Star apple)	Longan	Sapodilla
Casimiro (White sapote)	Lychee (Litchi)	Soursop
Cherimoya	Mango	Sweetsop (Sugar apple)
Custard apple	Mangosteen	Wax jambus
Durian	Passionfruit	
Feijoa	Papaya	

SCHEDULE 5 – Citrus fruits

Citron	Lime	Pummelo (Pomelo)
Grapefruit	Mandarin	Shaddock
Lemon	Orange	Tangelo

SCHEDULE 6 – Fruiting vegetables, other than cucurbits

Gape gooseberry	Chilli	Pepino
Capsicum	Eggplant	Tomato

SCHEDULE 7 – Exceptions for movement of host fruit

1 Host fruit grown and packed in an area free of Queensland fruit fly

Movement of host fruit from an area free of Queensland fruit fly, subject to the following conditions:

- (a) Prior to movement, the owner or occupier of the property or facility where the host fruit originates must ensure that:
- (i) any used packaging or coverings containing host fruit are free of soil, plant residues and other organic matter; and
 - (ii) any previous incorrect information displayed on the outer covering of the package is removed and the outer covering is legibly marked with the following information:
 - (A) the district of production; and
 - (B) the name, address, postcode and the State or Territory of both the grower and the packer; or where the packer is sourcing from multiple growers, the name, address, postcode and the State or Territory of the packer; and
 - (C) a brief description of the contents of the package;
- or
- (iii) where the property or facility is owned or occupied by a business accredited under a Certification Assurance Arrangement, the host fruit is packed and labelled in accordance with any conditions prescribed in the Certification Assurance Arrangement.

Note: The procedure under an approved Certification Assurance Arrangement for the purposes of this clause is ICA-23 Certification of area or property freedom based on monitoring by the accrediting authority.

2 Host fruit that has received an approved treatment or that has been grown and packed in accordance with an approved systems approach

Movement of host fruit that has, prior to movement, received an approved treatment or that has been grown and packed in accordance with an approved systems approach, subject to the following conditions:

- (a) The owner or occupier of the property or facility from which the host fruit originates must ensure the host fruit remains under secure conditions which prevent infestation by Queensland fruit fly, from post harvest to the time of dispatch and transport; and
- (b) Prior to movement, the owner or occupier of the property or facility where the host fruit is packed must ensure that:
 - (i) any used packaging or coverings containing host fruit are free of soil, plant residues and other organic matter; and

- (ii) in the case of host fruit that has been consigned:
 - (A) as a lot for the purpose of producing smaller packs of host fruit and has been repacked in smaller packs; or
 - (B) as a packed lot for the purpose of producing composite lots, the host fruit has been received, handled, stored and repacked under secure conditions which prevent infestation by Queensland fruit fly; and
- (iii) any individual package contains only one kind of host fruit; and
- (iv) all previous incorrect information displayed on the outer covering of the package is removed and the outer covering is legibly marked with the following information:
 - (A) the district of production; and
 - (B) the name, address, postcode and the State or Territory of both the grower and the packer; or where the packer is sourcing from multiple growers, the name, address, postcode and the State or Territory of the packer; and
 - (C) a brief description of the contents of the package; or
- (v) where the property or facility is owned or occupied by a business accredited under a Certification Assurance Arrangement, the host fruit is packed and labelled in accordance with the Certification Assurance Arrangement.

SCHEDULE 8 – Approved treatments for host fruit

1 Definitions

In this Schedule:

hard condition, in the case of avocados, means the flesh is not soft or softening, the skin is not cracked and there is no unbroken skin.

hard green condition, in the case of bananas, means the fruit is hard and green, with no sign of colouration when assessed over the entire surface area and there is no unbroken skin.

immature green condition, in the case of babaco and papaya (excluding defective flower-end type papaya), means the fruit is hard and green and has no ripe colouration.

mature green condition, in the case of:

- (a) babaco and papaya (excluding defective flower-end type papaya), means the fruit is hard and has no more than 25 % of ripe colouration at the time of packing.
- (b) bananas, means the flesh is hard and not flexible, the skin is green and shows no yellow colouration except for areas towards the flower end of a fruit where the sun has bleached the skin but the flesh beneath is still hard, and has no pre-harvest cracks, splits, punctures or other breaks that penetrate through to the flesh.
- (c) black sapote, means the skin is free from any black colouration and there is no unbroken skin.
- (d) passionfruit, means the skin is smooth and unwrinkled and there is no unbroken skin.
- (e) Tahitian lime, means the skin has no yellow colouration and there is no unbroken skin.

unbroken skin means the skin has no pre-harvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and that have not healed with callus tissue.

2 Dimethoate Dip

- (1) Assorted tropical and sub-tropical fruits – inedible peel (excluding black sapote, breadfruit, jackfruit, longan, defective flower-end type papaya, mango, custard apple, cherimoya, soursop, sweetsop and other *Annona* spp.), abiu, rollinia, santol, and tamarillo:
 - (a) treated postharvest by full immersion in a dip containing 400 mg/L dimethoate for:
 - (i) a period of 1 minute; or
 - (ii) in the case of passionfruit, dipping for a period of 10 seconds provided the fruit remains wet for a further 60 seconds; and
 - (b) dipping must be the final treatment before packing.
- (2) Citrus fruits:
 - (a) treated postharvest by full immersion in a dip containing 400 mg/L dimethoate for a period of 1 minute; and
 - (b) dipping must be the final treatment before packing, except where a non-recovery gloss coating (wax) and/or compatible fungicide may be added within 24 hours of treatment.
- (3) Mangoes (Kensington Pride, Calypso, R2E2 and Honey Gold varieties only):
 - (a) a sample of the lot inspected before treatment and found free of Queensland fruit fly larvae; and
 - (b) treated postharvest by full immersion in a dip containing 400 mg/L dimethoate for a period of 1 minute; and
 - (c) dipping must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-01 Dipping with dimethoate or fenthion.

3 Dimethoate Flood Spray

- (1) Assorted tropical and sub-tropical fruits – inedible peel (excluding black sapote, breadfruit, jackfruit, longan, defective flower-end type papaya, mango, custard apple, cherimoya, soursop, sweetsop and other *Annona* spp.), abiu, rollinia, santol, and tamarillo:
 - (a) treated postharvest by flood spraying in a single layer with a mixture containing 400 mg/L dimethoate at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds; and
 - (b) spraying must be the final treatment before packing.
- (2) Citrus fruits:
 - (a) treated postharvest by flood spraying in a single layer with a mixture containing 400 mg/L dimethoate at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds; and
 - (b) spraying must be the final treatment before packing, except where a non-recovery gloss coating (wax) and/or compatible fungicide may be added within 24 hours of treatment.
- (3) Mangoes (Kensington Pride, Calypso, R2E2 and Honey Gold varieties only):
 - (a) a sample of the lot is inspected before treatment and found free of Queensland fruit fly larvae; and
 - (b) treated postharvest by flood spraying in a single layer with a mixture containing 400 mg/L dimethoate with a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds; and
 - (c) spraying must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-02 Flood spraying with dimethoate or fenthion.

4 Fenthion Dip

- (1) Assorted tropical and sub-tropical fruits – inedible peel (excluding caimito, mango, custard apple, cherimoya, soursop, sweetsop and other *Annona* spp. and defective flower-end type papaya):
 - (a) treated postharvest by full immersion in a dip containing 412.5 mg/L fenthion for:
 - (i) a period of 1 minute; or
 - (ii) in the case of longan, lycee, passionfruit and rambutan, dipping for a period of 10 seconds provided the fruit remains wet for a further 60 seconds; and
 - (b) dipping must be the final treatment before packing.
- (2) Fruiting vegetables, other than cucurbits (excluding hollow fruited capsicums and chillies):
 - (a) treated postharvest by full immersion in a dip containing 412.5 mg/L fenthion for a period of 1 minute; and
 - (b) dipping must be the final treatment before packing.
- (3) Mangoes (Kensington Pride, Calypso, R2E2 and Honey Gold varieties only):
 - (a) a sample of the lot inspected before treatment and found free of Queensland fruit fly larvae; and
 - (b) treated postharvest by full immersion in a dip containing 412.5 mg/L fenthion for a period of 1 minute; and
 - (c) dipping must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-01 Dipping with dimethoate or fenthion.

5 Fenthion Flood Spray

- (1) Assorted tropical and sub-tropical fruits – inedible peel (excluding mango, custard apple, cherimoya, soursop, sweetsop and other *Annona* spp. and defective flower-end type papaya):
 - (a) treated postharvest by flood spraying, in a single layer with a mixture containing 412.5 mg/L fenthion at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds; and
 - (b) spraying must be the final treatment before packing.
- (2) Fruiting vegetables, other than cucurbits:
 - (a) treated postharvest by flood spraying, in a single layer with a mixture containing 412.5 mg/L fenthion at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds; and
 - (b) spraying must be the final treatment before packing.
- (3) Mangoes (Kensington Pride, Calypso, R2E2 and Honey Gold varieties only):
 - (a) a sample of the lot inspected before treatment and found free of Queensland fruit fly larvae; and
 - (b) treated postharvest by flood spraying in a single layer with a mixture containing 412.5 mg/L fenthion at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds; and

- (c) spraying must be the final treatment before packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-02 Flood spraying with dimethoate or fenthion.

6 Fenthion Non-Recirculating Spray

- (1) Avocados treated in a single layer non-recirculating system with a mixture containing 412.5 mg/L fenthion at a rate of at least 0.6 L/minute/m², providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds.
- (2) Mangoes (Kensington Pride, Calypso, R2E2 and Honey Gold varieties only):
- a sample of the lot inspected before treatment and found free of Queensland fruit fly larvae; and
 - treated in a single layer non-recirculating system with a mixture containing 412.5 mg/L fenthion at a rate of at least 1.2 L/minute/m², providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-03 Low volume non-recirculated spraying with fenthion.

7 Methyl Bromide Fumigation

Any host fruit:

- (a) fumigated postharvest with a fumigant containing 1000 g/kg methyl bromide as its only active constituent for 2 hours at the following rates:
- 10.0°C – 14.9°C at 48 g/m³; or
 - 15.0°C – 20.9°C at 40 g/m³; or
 - 21.0°C + at 32 g/m³; and
- (b) in the case of defective flower end-type papaya, is in a mature green condition.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-04 Fumigating with methyl bromide.

8 Postharvest Cold Treatment

- (1) Any host fruit (excluding lemons), treated postharvest at a temperature of:

- 0°C ± 0.5°C for a minimum of 14 days; or
- 1.0°C ± 0.5°C to 3.0°C ± 0.5°C for a minimum of 16 days.

- (2) Lemons treated post harvest at a temperature of 0.0°C ± 0.5°C to 3.0°C ± 0.5°C for a minimum of 14 days.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-07 Cold treatment.

9 Hot Water Treatment

Mangoes treated by full immersion in hot water at a temperature of 46.0°C for a minimum of 10 minutes, as measured in the water and at or as near as practicable to the seed of 3 fruits.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-10 Hot water treatment of mangoes.

10 High Temperature Forced Air

Papaya treated in a hot air chamber, at a temperature of 47.2°C for at least 3.5 hours as measured in the seed cavity.

11 Vapour Heat Treatment

Mangoes treated by vapour heat at a temperature of:

- 46.5°C for 20 minutes; or
- 47.0°C for 15 minutes.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-05 Vapour heat treatment of mangoes under AQIS supervision.

12 Gamma Irradiation

Any host fruit approved for irradiation by the Food Standards Australia New Zealand (FSANZ) treated post harvest with gamma irradiation at a minimum dose of 150Gy.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-55 Irradiation treatment.

13 Mature green condition

- (1) Black sapote, passionfruit and Tahitian lime harvested and packed in a mature green condition.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-15 Mature green condition of passionfruit, Tahitian limes and black sapotes.

- (2) Banana harvested and packed in a mature green condition.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-16 Certification of mature green condition of bananas.

14 Immature green condition

Papaya (excluding defective flower-end type papaya) and babaco harvested and packed in an immature green condition.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-08 Mature green condition and immature green condition of papaw and babaco.

15 Hard green condition

Bananas (Cavendish variety only) in a hard green condition at the time of packing.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-06 Certification of hard green bananas.

16 Hard condition

Avocados (Hass and Lamb Hass cultivars only) harvested in a hard condition and stored in secured conditions within 24 hours of harvest.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-30 Hard condition of avocado for Mediterranean fruit fly and Queensland fruit fly.

17 Unbroken skins

Durian, jaboticaba, jackfruit, longan, lychee, mangosteen, pomegranate and rambutan harvested and packed with unbroken skin.

Note: The procedure under an approved certification assurance arrangement is ICA-13 Unbroken skin condition of approved fruits.

SCHEDULE 9 – Approved systems approaches for host fruit

1 Pre-harvest treatment and postharvest inspection**(1) Capsicums and chillies:**

- (a) treated pre-harvest with dimethoate or fenthion in accordance with all label and APVMA permit directions for the in-field control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(2) Eggplants:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing 500 g/L trichlorfon applied a minimum of 21 days prior to harvest in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(3) Tomatoes:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 550 g/L fenthion; or
 - (ii) 500 g/L trichlorfon applied a minimum of 21 days prior to harvest, in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(4) Blueberries:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 400 g/L dimethoate; or
 - (ii) 500 g/L trichlorfon, in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) sampled and inspected postharvest and found free of Queensland fruit fly larvae.

Note: The procedures under an approved Certification Assurance Arrangement are ICA 31 Pre-harvest insecticide treatment of blueberries and ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(5) Stonefruit:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 550 g/L fenthion; or
 - (ii) 500 g/L trichlorfon applied a minimum of 21 days prior to harvest, in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and

- (b) inspected postharvest at the rate of 1 package in every 100 and found free of Queensland fruit fly larvae and free of broken skins.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(6) Pomefruit:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing 500 g/L trichlorfon in accordance with all label directions for the control of Queensland fruit fly; and
- (b) inspected postharvest at the rate of 1 package in every 100 and found free of Queensland fruit fly larvae and free of broken skins.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(7) Table grapes:

- (a) treated pre-harvest with a program of:
 - (i) bait sprays applied to every alternate row of vines at the rate of at least 100 mL per 8 m of vine, at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with:
 - (A) an insecticide containing 15.4 L of 0.24 g/L spinosad per 100 L of water; or
 - (B) a mixture containing 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; or
 - (ii) cover sprays applied to all vines:
 - (A) at a maximum interval of 14 days commencing at least 5 weeks prior to harvest with a mixture containing 75 mL of 550 g/L fenthion per 100 L of water; or
 - (B) with a chemical containing 500 g/L trichlorfon in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest where a sample of the fruit is inspected and found free of Queensland fruit fly larvae.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-20 Pre-harvest treatment and inspection of grapes.

(8) Strawberries grown in south east Queensland:

- (a) treated with a program of Male Annihilation Technique (MAT) devices placed on the perimeter of the source property at 20 metre intervals; and
- (b) treated with a program of bait sprays using a mixture of 15.4 L of 0.24 g/L spinosad per 100 L of water in accordance with all label requirements:
 - (i) at a rate of 1 litre per hectare applied to the perimeter of all strawberry blocks on the source property; and
 - (ii) at a maximum interval of 7 days commencing from:
 - (A) the time of planting; or
 - (B) in the case of ratoon crops (being the second or later crops taken from the regrowth of a crop after it has been harvested once) – 1 May; and
 - (iii) applied to the strawberry blocks until:
 - (A) the completion of harvest of all strawberries from the source property; or
 - (B) all strawberries have been removed from the block; or
 - (C) all strawberry plants have been sprayed out or removed from the block; or
 - (D) the pre-harvest cover spray program specified in paragraph 1 (8) (c) has commenced; and
- (c) treated with a program of cover sprays applied to each block of strawberries grown on the property at an interval of every 7 to 10 days, commencing prior to 10 August until the completion of harvest:
 - (i) with a chemical containing:
 - (A) 500 g/L trichlorfon; or
 - (B) 440 g/L maldison; or
 - (C) 1000 g/L maldison; or
 - (D) 1150 g/L maldison,
 in accordance with all APVMA permit directions for the control of Queensland fruit fly; or
 - (ii) with:
 - (A) a chemical containing 120 g/L spinetoram applied at the maximum rate of 400 mL per hectare of plants and in accordance with APVMA permit and label directions; and
 - (B) a program of bait sprays applied in accordance with paragraph 1 (8) (b); and
- (d) grown under a field hygiene program including:
 - (i) the disposal of infested or untreated fruit; and
 - (ii) the management of abandoned or spent strawberry blocks, in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and

- (e) inspected during harvest and postharvest in accordance with the specifications of ICA-34 Pre-harvest field control and inspection of strawberries and found free from live Queensland fruit fly infestation.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-34 Pre-harvest field control and inspection of strawberries.

2 Pre-harvest treatment and inspection, and post harvest treatment

(1) Custard apple, cherimoya, soursop, sweetsop and other *Annona* spp:

- (a) treated pre-harvest with a program of:
 - (i) cover sprays applied to all host fruit trees at a maximum interval of 14 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing 75 mL of 550 g/L fenthion per 100 L of mixture; or
 - (ii) bait sprays applied at the rate of at least 100 mL to all host fruit trees at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; or
 - (B) 2 L yeast autolysate protein and 780 mL of 500 g/L trichlorfon per 100 L of water; or
 - (C) 15.4 L of 0.24 g/L spinosad per 100 L of water; and
- (b) inspected postharvest where a sample of the lot is inspected and found free of Queensland fruit fly larvae and free of broken skins; and
- (c) treated postharvest (final treatment before packing):
 - (i) by full immersion for a period of 1 minute in a dip containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion; or
 - (ii) by flood spraying in a single layer at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds with a mixture containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-18 Treatment and inspection of custard apple and other *Annona* spp., in conjunction with ICA-01 Dipping with dimethoate or fenthion or ICA-02 Flood spraying with dimethoate or fenthion.

(2) Mangoes (excluding Kensington Pride, Calypso, R2E2 and Honey Gold varieties):

- (a) treated pre-harvest with a program of:
 - (i) cover sprays applied to all host fruit trees at a maximum interval of 14 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 75 mL of 550 g/L fenthion per 100 L of mixture; or
 - (B) 75 mL of 400 g/L dimethoate per 100 L of mixture; or
 - (ii) bait sprays applied at the rate of at least 100 mL to all host fruit trees at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 15.4 L of 0.24 g/L spinosad per 100 L of water; or
 - (B) 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; and
- (b) inspected postharvest where a sample of the lot is inspected and found free of Queensland fruit fly larvae; and
- (c) treated postharvest (final treatment prior to packing):
 - (i) by full immersion for a period of 1 minute in a dip containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion; or
 - (ii) by flood spraying in a single layer at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds with a mixture containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion,
 - (iii) in a single layer non-recirculating system with a mixture containing 412.5 mg/L fenthion at a rate of at least 1.2 L/minute/m², providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-19 Treatment and inspection of mangoes, in conjunction with ICA-01 Dipping with dimethoate or fenthion or ICA-02 Flood spraying with dimethoate or fenthion or ICA-03 Low volume non-recirculated spraying with fenthion.

3 Fruit fly monitoring, pre-harvest baiting, and postharvest inspection

- (1) Citrus fruits (excluding Meyer lemons) grown in the west of the coastal ranges and south of latitude 22 south and harvested during the period 1 March to 25 August inclusive:
- (a) treated with a program of bait sprays applied to all host fruit trees in accordance with all label requirements at a maximum interval of 7 days commencing 12 weeks prior to harvest to the completion of harvest with:
 - (i) a mixture containing 2 L yeast autolysate protein; and
 - (A) 435 mL of 1150 g/L maldison per 100 L of water; or
 - (B) 400 g of 500 g/kg chlorpyrifos per 100 L of water; or
 - (C) 400 mL of 500 g/L chlorpyrifos per 100 L of water; or
 - (D) 780 mL of 500 g/L trichlorofon per 100 L of water; or
 - (ii) a mixture containing 15.4 L of spinosad per 100 L of water; and
 - (b) treated with a program of Queensland fruit fly trapping and monitoring using at least 2 Lynfield or approved equivalent traps, placed so that every tree within the orchard is within 400 m of a trap, which are inspected at least every 7 days and found free of Queensland fruit flies; and
 - (c) inspected postharvest where a sample of the lot is inspected after packing and found free of Queensland fruit fly larvae.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-28 Pre-harvest treatment (bait spraying) and inspection of citrus.

- (2) Host fruit grown and packed within a suspension area (excluding an outbreak area) which is under an active eradication program:
- (a) treated with a program of Queensland fruit fly trapping and monitoring with at least one Queensland fruit fly trap installed on the property, monitored in accordance with the Code of Practice for the Management of Queensland fruit fly; and
 - (b) treated with a program of bait sprays applied:
 - (i) a minimum of 2 weeks prior to harvest to the completion of harvest; and
 - (ii) to all host fruit trees with fruit at a stage susceptible to Queensland fruit fly (unless receiving an alternative program of cover sprays), and
 - (iii) in accordance with all label and APVMA permit directions; and
 - (iv) with a mixture containing:
 - (A) 435 mL of 1150 g/L maldison with 2 litres of yeast autolysate protein lure per 100 litres of water; or
 - (B) 15.4 L of 0.24 g/L spinosad per 100 L of water; and
 - (c) inspected postharvest in accordance with the specification of ICA-56 Pre-harvest baiting and inspection protocol for Pest Free Areas and found free of Queensland fruit fly infestation.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-56 Pre-harvest baiting and inspection protocol for Pest Free Areas.

4 Untreated wine grapes for processing

Wine grapes:

- (a) contained in bins or containers cleaned free from all plant debris and soil prior to packing and loading; and
- (b) transported in a vehicle ("the transport vehicle"):
 - (i) cleaned free from all plant debris and soil prior to movement; and
 - (ii) secured so as to prevent infestation by Queensland fruit fly and spillage during transportation by:
 - (A) covering with a tarpaulin, shade cloth, bin cover or other covering; or
 - (B) containing within the transport vehicle; and
 - (iii) travelling by the most direct route to the receiving processor; and
- (c) upon receipt at the receiving processor:
 - (i) processed within 24 hours of receipt; and
 - (ii) all measures to avoid spillage of host fruit are taken and where spillages occur, are disposed of in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and
 - (iii) all processing wastes are disinfested by heat or freezing or are buried.

Note: The procedure under an approved certification assurance arrangement is ICA-33 Movement of Wine Grapes.

Dated this 23rd day of April 2012.

SATENDRA KUMAR,
Director Plant Biosecurity
Department of Trade and Investment, Regional Infrastructure and Services

Note: The Department's reference is O-408

PLANT DISEASES (FRUIT FLY OUTBREAKS AMENDMENT) ORDER 2012

under the

Plant Diseases Act 1924

I, SATENDRA KUMAR, Director Plant Biosecurity of the Department of Trade and Investment, Regional Infrastructure and Services, with the delegated authority of the Minister for Primary Industries in pursuance of section 3A of the Plant Diseases Act 1924 (“the Act”), and in pursuance of sections 3 (2) and 4 of the Act being of the opinion that the importation, introduction or bringing of host fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into specified portions of New South Wales, make the following Order regulating the importation, introduction or bringing of host fruit into specified portions of New South Wales.

1 Name of Order

This Order is the Plant Diseases (Fruit Fly Outbreaks Amendment) Order 2012.

2 Commencement

This Order commences on the date it is published in the *NSW Government Gazette*.

3 Amendment of Orders

Each Order made pursuant to section 4 of the Act and specified in Schedule 1 to this Order is amended as follows:

- (a) by omitting clause 4 and inserting instead the provisions in Schedule 2 to this Order;
- (b) by omitting Schedule 8 titled “Exceptions for movement of host fruit” and inserting instead the provisions in Schedule 3 to this Order; and
- (c) by omitting Schedule 10 titled “Approved systems approaches for host fruit” and inserting instead the provisions in Schedule 4 to this Order

Dated this 23rd day of April 2012.

SATENDRA KUMAR,
Director Plant Biosecurity
Department of Trade and Investment, Regional Infrastructure and Services

Note: The Department’s reference is O-409

SCHEDULE 1

<i>Department's reference</i>	<i>Title of Order</i>	<i>NSW Government Gazette reference</i>
O-376	Plant Diseases (Fruit Fly Outbreak, Darlington Point NTN 2577) Order 2011	GG No. 103 of 28.10.2011 at pages 6260-6279
O-377	Plant Diseases (Fruit Fly Outbreak, Corbie Hill NTN 2476) Order 2011	GG No. 103 of 28.10.2011 at pages 6280-6299
O-378	Plant Diseases (Fruit Fly Outbreak, Pevensey Place, Echuca) Order 2011	GG No. 103 of 28.10.2011 at pages 6300-6319
O-379	Plant Diseases (Fruit Fly Outbreak, Chester Street, Barham) Order 2011	GG No. 103 of 28.10.2011 at pages 6320-6339
O-381	Plant Diseases (Fruit Fly Outbreak, Deniliquin) Order 2011	GG No. 103 of 28.10.2011 at pages 6200-6219
O-382	Plant Diseases (Fruit Fly Outbreak, Rutherglen) Order 2011	GG No. 103 of 28.10.2011 at pages 6220-6239
O-383	Plant Diseases (Fruit Fly Outbreak, Corowa) Order 2011	GG No. 103 of 28.10.2011 at pages 6240-6259
O-386	Plant Diseases (Fruit Fly Outbreak, Pooley Street, Buronga) Order 2012	GG No. 10 of 27.1.2012 at pages 208-224
O-387	Plant Diseases (Fruit Fly Outbreak, Boynton Lane, Balranald) Order 2012	GG No. 10 of 27.1.2012 at pages 155-171
O-388	Plant Diseases (Fruit Fly Outbreak, Wakool Junction Road, Goodnight North) Order 2012	GG No. 10 of 27.1.2012 at pages 172-188
O-389	Plant Diseases (Fruit Fly Outbreak, Little Forest Lane, Barham East) Order 2012	GG No. 10 of 27.1.2012 at pages 189-205

SCHEDULE 2

“Clause 4 Regulation of the movement of host fruit

- (1) Pursuant to section 4 (1) of the Act the importation, introduction or bringing of host fruit into specified portions of New South Wales is regulated as specified in this clause.
- (2) Host fruit that originates from or has moved through:
 - (a) the Outbreak Area must not be moved into the Suspension Area or the Outer Area;
 - (b) the Suspension Area must not be moved into the Outer Area,
 except for such movements as are specified in Schedule 8 and which comply with the relevant conditions of exception set out in Schedule 8.
- (3) The movement of any host fruit in accordance with paragraph 1 of Schedule 8 must be accompanied by:
 - (a) a Plant Health Certificate certifying:
 - (i) the origin of the host fruit; and
 - (ii) that the host fruit has received an approved treatment; or
 - (iii) that the host fruit has been grown and packed in accordance with an approved systems approach; or
 - (b) a Plant Health Assurance Certificate issued under a Certification Assurance Arrangement.
- (4) The movement of any host fruit in accordance with paragraph 2 of Schedule 8 must be accompanied by:
 - (a) a Plant Health Certificate certifying:
 - (i) the origin of the host fruit; and
 - (ii) that the origin of the host fruit is an area free of Queensland fruit fly; or
 - (b) a Plant Health Assurance Certificate issued under a Certification Assurance Arrangement.”

SCHEDULE 3

“Schedule 8 – Exceptions for movement of host fruit**1 Host fruit that has received an approved treatment or that has been grown and packed in accordance with an approved systems approach**

Movement of host fruit that has, prior to movement, received an approved treatment or that has been grown and packed in accordance with an approved systems approach, subject to the following conditions:

- (a) The owner or occupier of the property or facility from which the host fruit originates must ensure the host fruit remains under secure conditions which prevent infestation by Queensland fruit fly, from post harvest to the time of dispatch and transport; and
 - (b) Prior to movement, the owner or occupier of the property or facility where the host fruit is packed must ensure that:
 - (i) any used packaging or coverings containing host fruit are free of soil, plant residues and other organic matter; and
 - (ii) in the case of host fruit that has been consigned:
 - (A) as a lot for the purpose of producing smaller packs of host fruit and has been repacked in smaller packs; or
 - (B) as a packed lot for the purpose of producing composite lots, the host fruit has been received, handled, stored and repacked under secure conditions which prevent infestation by Queensland fruit fly; and
 - (iii) any individual package contains only one kind of host fruit; and
 - (iv) all previous incorrect information displayed on the outer covering of the package is removed and the outer covering is legibly marked with the following information:
 - (A) the district of production; and
 - (B) the name, address, postcode and the State or Territory of both the grower and the packer; or where the packer is sourcing from multiple growers, the name, address, postcode and the State or Territory of the packer; and
 - (C) a brief description of the contents of the package;
- or
- (v) where the property or facility is owned or occupied by a business accredited under a Certification Assurance Arrangement, the host fruit is packed and labelled in accordance with the Certification Assurance Arrangement.

2 Outer Area host fruit on a direct journey through the Outbreak Area or Suspension Area into the Outer Area

Movement of host fruit originating within the Outer Area and moving on a direct journey through the Outbreak Area or the Suspension Area into the Outer Area, subject to the following condition:

- (a) The owner or occupier of the property or facility from which the host fruit originates must ensure the host fruit is securely transported to prevent infestation by Queensland fruit fly by covering with a tarpaulin, shade cloth, bin cover or other covering or contained within the covered transport vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation.

3 Untreated Suspension Area host fruit on a direct journey to an end destination having no restrictions on account of Queensland fruit fly

Movement of host fruit originating within the Suspension Area and moving on a direct journey to an end destination which has no restrictions on account of Queensland fruit fly, subject to the following conditions:

- (a) The owner or occupier of the property or facility from which the host fruit originates must ensure the host fruit remains under secure conditions which prevent infestation by Queensland fruit fly, from post harvest to the time of dispatch and transport; and
- (b) Prior to movement, the owner or occupier of the property or facility where the host fruit is to be packed must ensure:
 - (i) all bins or containers and any vehicles to be used for the transportation of host fruit (“transport vehicle”) are free from all plant debris and soil prior to packing and loading; and
 - (ii) the transport vehicle is free of all soil and plant debris after loading; and
 - (iii) the host fruit is transported under secure conditions that include:
 - (A) unvented packages or vented packages with the vents secured with mesh with a maximum aperture of 1.6mm prior to dispatch; or
 - (B) shrink-wrapped and sealed as a palletised unit; or
 - (C) fully enclosed under tarpaulins, shade cloth, bin cover or other covering which provides a maximum aperture of 1.6mm,
 so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
 - (iv) the transport vehicle travels by the most direct route.”

SCHEDULE 4

“Schedule 10 – Approved systems approaches for host fruit

1 Pre-harvest treatment and postharvest inspection

(1) Capsicums and chillies:

- (a) treated pre-harvest with dimethoate or fenthion in accordance with all label and APVMA permit directions for the in-field control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(2) Eggplants:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing 500 g/L trichlorfon applied a minimum of 21 days prior to harvest in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(3) Tomatoes:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 550 g/L fenthion; or
 - (ii) 500 g/L trichlorfon applied a minimum of 21 days prior to harvest, in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest, where a sample of the lot is inspected and found free of Queensland fruit fly.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-26 Pre-harvest treatment and postharvest inspection of tomatoes, capsicums, chillies and eggplant.

(4) Blueberries:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 400 g/L dimethoate; or
 - (ii) 500 g/L trichlorfon,
 in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) sampled and inspected postharvest and found free of Queensland fruit fly larvae.

Note: The procedures under an approved Certification Assurance Arrangement are ICA 31 Pre-harvest insecticide treatment of blueberries and ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(5) Stonefruit:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing:
 - (i) 550 g/L fenthion; or
 - (ii) 500 g/L trichlorfon applied a minimum of 21 days prior to harvest, in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and

- (b) inspected postharvest at the rate of 1 package in every 100 and found free of Queensland fruit fly larvae and free of broken skins.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(6) Pomefruit:

- (a) treated pre-harvest with a program of cover sprays with a chemical containing 500 g/L trichlorfon in accordance with all label directions for the control of Queensland fruit fly; and
- (b) inspected postharvest at the rate of 1 package in every 100 and found free of Queensland fruit fly larvae and free of broken skins.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-21 Pre-harvest treatment and inspection of stonefruit, pome fruit and blueberries.

(7) Table grapes:

- (a) treated pre-harvest with a program of:
 - (i) bait sprays applied to every alternate row of vines at the rate of at least 100 mL per 8 m of vine, at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with:
 - (A) an insecticide containing 15.4 L of 0.24 g/L spinosad per 100 L of water; or
 - (B) a mixture containing 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; or
 - (ii) cover sprays applied to all vines:
 - (A) at a maximum interval of 14 days commencing at least 5 weeks prior to harvest with a mixture containing 75 mL of 550 g/L fenthion per 100 L of water; or
 - (B) with a chemical containing 500 g/L trichlorfon in accordance with all label and APVMA permit directions for the control of Queensland fruit fly; and
- (b) inspected postharvest where a sample of the fruit is inspected and found free of Queensland fruit fly larvae.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-20 Pre-harvest treatment and inspection of grapes.

2 Pre-harvest treatment and inspection, and post harvest treatment

(1) Custard apple, cherimoya, soursop, sweetsop and other *Annona* spp:

- (a) treated pre-harvest with a program of:
 - (i) cover sprays applied to all host fruit trees at a maximum interval of 14 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing 75 mL of 550 g/L fenthion per 100 L of mixture; or
 - (ii) bait sprays applied at the rate of at least 100 mL to all host fruit trees at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; or
 - (B) 2 L yeast autolysate protein and 780 mL of 500 g/L trichlorfon per 100 L of water; or
 - (C) 15.4 L of 0.24 g/L spinosad per 100 L of water; and
- (b) inspected postharvest where a sample of the lot is inspected and found free of Queensland fruit fly larvae and free of broken skins; and
- (c) treated postharvest (final treatment before packing):
 - (i) by full immersion for a period of 1 minute in a dip containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion; or
 - (ii) by flood spraying in a single layer at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds with a mixture containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-18 Treatment and inspection of custard apple and other *Annona* spp., in conjunction with ICA-01 Dipping with dimethoate or fenthion or ICA-02 Flood spraying with dimethoate or fenthion.

(2) Mangoes (excluding Kensington Pride, Calypso, R2E2 and Honey Gold varieties):

- (a) treated pre-harvest with a program of:
 - (i) cover sprays applied to all host fruit trees at a maximum interval of 14 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 75 mL of 550 g/L fenthion per 100 L of mixture; or
 - (B) 75 mL of 400 g/L dimethoate per 100 L of mixture; or

- (ii) bait sprays applied at the rate of at least 100 mL to all host fruit trees at a maximum interval of 7 days commencing 6 weeks prior to harvest to the completion of harvest with a mixture containing:
 - (A) 15.4 L of 0.24 g/L spinosad per 100 L of water; or
 - (B) 2 L yeast autolysate protein and 435 mL of 1150 g/L maldison per 100 L of water; and
- (b) inspected postharvest where a sample of the lot is inspected and found free of Queensland fruit fly larvae; and
- (c) treated postharvest (final treatment prior to packing):
 - (i) by full immersion for a period of 1 minute in a dip containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion; or
 - (ii) by flood spraying in a single layer at a rate of at least 16 L/minute/m² of the area being flood sprayed, providing complete coverage of the fruit for a minimum of 10 seconds after which the fruit must remain wet for a further 60 seconds with a mixture containing:
 - (A) 400 mg/L dimethoate; or
 - (B) 412.5 mg/L fenthion,
 - (iii) in a single layer non-recirculating system with a mixture containing 412.5 mg/L fenthion at a rate of at least 1.2 L/minute/m², providing complete coverage of the host fruit for a minimum of 10 seconds after which the host fruit must remain wet for a further 60 seconds.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-19 Treatment and inspection of mangoes, in conjunction with ICA-01 Dipping with dimethoate or fenthion or ICA-02 Flood spraying with dimethoate or fenthion or ICA-03 Low volume non-recirculated spraying with fenthion.

3 Fruit fly monitoring, pre-harvest baiting, and postharvest inspection

- (1) Citrus fruits (excluding Meyer lemons) grown in the west of the coastal ranges and south of latitude 22 south and harvested during the period 1 March to 25 August inclusive:
 - (a) treated with a program of bait sprays applied to all host fruit trees in accordance with all label requirements at a maximum interval of 7 days commencing 12 weeks prior to harvest to the completion of harvest with:
 - (i) a mixture containing 2 L yeast autoylsate protein; and
 - (A) 435 mL of 1150 g/L maldison per 100 L of water; or
 - (B) 400 g of 500 g/kg chlorpyrifos per 100 L of water; or
 - (C) 400 mL of 500 g/L chlorpyrifos per 100 L of water; or
 - (D) 780 mL of 500 g/L trichlorofon per 100 L of water; or
 - (ii) a mixture containing 15.4 L of spinosad per 100 L of water; and
 - (b) treated with a program of Queensland fruit fly trapping and monitoring using at least 2 Lynfield or approved equivalent traps, placed so that every tree within the orchard is within 400 m of a trap, which are inspected at least every 7 days and found free of Queensland fruit flies; and
 - (c) inspected postharvest where a sample of the lot is inspected after packing and found free of Queensland fruit fly larvae.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-28 Pre-harvest treatment (bait spraying) and inspection of citrus.

- (2) Host fruit grown and packed within the Suspension Area (excluding the Outbreak Area) which is under an active eradication program:
 - (a) treated with a program of Queensland fruit fly trapping and monitoring with at least one Queensland fruit fly trap installed on the property, monitored in accordance with the Code of Practice for the Management of Queensland fruit fly; and
 - (b) treated with a program of bait sprays applied:
 - (i) a minimum of 2 weeks prior to harvest to the completion of harvest; and
 - (ii) to all host fruit trees with fruit at a stage susceptible to Queensland fruit fly (unless receiving an alternative program of cover sprays), and
 - (iii) in accordance with all label and APVMA permit directions; and
 - (iv) with a mixture containing:
 - (A) 435 mL of 1150 g/L maldison with 2 litres of yeast autolysate protein lure per 100 litres of water; or
 - (B) 15.4 L of 0.24 g/L spinosad per 100 L of water; and
 - (c) inspected postharvest in accordance with the specification of ICA-56 Pre-harvest baiting and inspection protocol for Pest Free Areas and found free of Queensland fruit fly infestation.

Note: The procedure under an approved Certification Assurance Arrangement is ICA-56 Pre-harvest baiting and inspection protocol for Pest Free Areas.

4 Untreated wine grapes for processing

Wine grapes:

- (a) contained in bins or containers cleaned free from all plant debris and soil prior to packing and loading; and
- (b) transported in a vehicle (“the transport vehicle”):
 - (i) cleaned free from all plant debris and soil prior to movement; and
 - (ii) secured so as to prevent infestation by Queensland fruit fly and spillage during transportation by:
 - (A) covering with a tarpaulin, shade cloth, bin cover or other covering; or
 - (B) containing within the transport vehicle; and
 - (iii) travelling by the most direct route to the receiving processor; and
- (c) upon receipt at the receiving processor:
 - (i) processed within 24 hours of receipt; and
 - (ii) all measures to avoid spillage of host fruit are taken and where spillages occur, are disposed of in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and
 - (iii) all processing wastes are disinfested by heat or freezing or are buried.

Note: The procedure under an approved certification assurance arrangement is ICA-33 Movement of Wine Grapes.”

PRIMARY INDUSTRIES

FISHERIES MANAGEMENT ACT 1994**FISHERIES MANAGEMENT (AQUACULTURE)
REGULATION 2007**

Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL81/195 within the estuary of the Hawkesbury River, having an area of 0.4192 hectares to Paul MOXHAM and Robert MOXHAM of Brooklyn, for a term of 15 years expiring on 3 December 2026.

OL94/045 within the estuary of Camden Haven, having an area of 1.4452 hectares to Brandon ARMSTRONG, Katrina ARMSTRONG and Jason ARMSTRONG of Bonny Hills, for a term of 15 years expiring on 16 July 2026.

OL94/046 within the estuary of Camden Haven, having an area of 1.0752 hectares to ROB ARMSTRONG OYSTERS PTY LTD of Laurieton, for a term of 15 years expiring on 16 July 2026.

OL68/476 within the estuary of the Clyde River, having an area of 0.6405 hectares to McASH OYSTERS PTY LTD of Moruya, for a term of 15 years expiring on 5 September 2026.

OL68/479 within the estuary of the Clyde River, having an area of 1.3771 hectares to McASH OYSTERS PTY LTD of Moruya, for a term of 15 years expiring on 5 September 2026.

AL00/040 within the estuary of Camden Haven, having an area of 0.9649 hectares to Brett HARPER and Tracey HARPER of Dunbogan, for a term of 15 years expiring on 31 December 2026.

OL64/170 within the estuary of Port Stephens, having an area of 0.8068 hectares to Trevor HOLBERT and Dorothy HOLBERT of Salamander Bay, for a term of 15 years expiring on 7 March 2027.

OL82/037 within the estuary of Port Stephens, having an area of 1.2274 hectares to Trevor HOLBERT and Dorothy HOLBERT of Salamander Bay, for a term of 15 years expiring on 30 March 2027.

Clause 37 (3) – Notice of Granting of
Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

OL81/248 within the estuary of the Clyde River, having an area of 1.3779 hectares to Martin JACKSON of Bulli NSW, for a term of 15 years expiring on 11 November 2026.

BILL TALBOT,
Director,
Aquaculture, Conservation and Marine Parks,
Fisheries Division,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Revocation of Appointments

I, ANDREW COLIN SANGER, Director Agricultural Compliance, with the delegated authority of the Director General of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to section 28C of the Plant Diseases Act 1924 (“the Act”) and pursuant to sections 3 (2) (a) and 11 (1) of the Act hereby revoke the appointment of each person named in Column 1 of the Schedule as an inspector under the Act as published in the *New South Wales Government Gazette* specified in Column 2 of the Schedule at the page specified in Column 3 of the Schedule, and any appointment revived as a result of this revocation.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Robert BELATO	No. 99 of 14 October 2011	6057
Michael William BEVAN	No. 99 of 14 October 2011	6057
Phillip GRAY	No. 99 of 14 October 2011	6057
Luigi PIROMALLI	No. 99 of 14 October 2011	6057
Maryanne NOLAN	No. 137 of 29 November 1996	7755

Dated this the 20th of April 2012

A. C. SANGER,
Director, Agricultural Compliance,
Department of Primary Industries
(an office within the Department of Trade and
Investment, Regional Infrastructure and Services)

LANDS

ARMIDALE CROWN LANDS OFFICE
108 Faulkner Street (PO Box 199A), Armidale NSW 2350
Phone: (02) 6770 3100 Fax (02) 6771 5348

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown Land specified in Column 1 of the Schedule hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Inverell.	The part being Lot 125, DP
Local Government Area: Guyra Shire Council.	No. 820270, Parish Darby, County Hardinge, of an area of 1130 square metres.
Locality: Tingha.	
Reserve No.: 25558.	
Public Purpose: Temporary common.	
Notified: 27 February 1897.	
Lot 307, DP No. 753678, Parish Swinton, County Hardinge.	
Lot 185, DP No. 239337, Parish Swinton, County Hardinge.	
Lot 7017, DP No. 1030451, Parish Darby, County Hardinge.	
Lot 7003, DP No. 1030576, Parish Darby, County Hardinge.	
Lot 7324, DP No. 1156715, Parish Darby, County Hardinge.	
Lot 94, DP No. 753678, Parish Swinton, County Hardinge.	
Lot 7319, DP No. 1164823, Parish Swinton, County Hardinge.	
Lot 7318, DP No. 1164823, Parish Swinton, County Hardinge.	
Lot 7006, DP No. 1030473#, Parish Swinton, County Hardinge.	
Lot 7006, DP No. 96758#, Parish Swinton, County Hardinge.	
Lot 7022, DP No. 1127704, Parish Swinton, County Hardinge.	
Lot 7023, DP No. 1127762, Parish Swinton, County Hardinge.	
Lot 7024, DP No. 1127709, Parish Swinton, County Hardinge.	
Lot 7028, DP No. 1127701, Parish Swinton, County Hardinge.	
Lot 7032, DP No. 1127707, Parish Swinton, County Hardinge.	
Lot 7035, DP No. 1127699, Parish Swinton, County Hardinge.	
Lot 7037, DP No. 1127760, Parish Swinton, County Hardinge.	
Lot 7040, DP No. 1127765, Parish Swinton, County Hardinge.	
Lot 7038, DP No. 1127702, Parish Swinton, County Hardinge.	

Lot 7308, DP No. 1162147,
Parish Swinton, County Hardinge.
 Lot 7021, DP No. 1020998,
Parish Darby, County Hardinge.
 Lot 125, DP No. 820270,
Parish Darby, County Hardinge.
 Lot 7309, DP No. 1162148,
Parish Swinton, County Hardinge.
 Lot 187, DP No. 239337,
Parish Swinton, County Hardinge.
 Lot 186, DP No. 239337,
Parish Swinton, County Hardinge.
 Lot 58, DP No. 753678,
Parish Swinton, County Hardinge.
 Lot 7311, DP No. 1156735,
Parish Copces Creek, County Hardinge.
 Lot 7011, DP No. 1075975#,
Parish Copces Creek, County Hardinge.
 Lot 7008, DP No. 1075976#,
Parish Copces Creek, County Hardinge.
 Lot 7012, DP No. 1075975#,
Parish Copces Creek, County Hardinge.
 Lot 7013, DP No. 1075975#,
Parish Copces Creek, County Hardinge.
 Lot 7306, DP No. 1156842#,
Parish Swinton, County Hardinge.
 File No.: 10/05053.

Disclaimer: Please note that the above Lot numbers marked # are for Departmental use only.

ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land as specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Armidale	Reserve No. 1033748
Local Government Area: Armidale Dumaresq	Public Purpose: Access, government purposes, public recreation, and recreational fishing
Locality: Ebor	Notified: 18 November 2011
Lot 91, DP 751462	Lot 7338, DP 1165771
Parish: Lookout	Parish: Wallarah
County: Clarke	County: Northumberland
Area: 1.523 hectares	New Area: Approx 37.143 hectares
File Reference: 08/10961	

Note: This addition does not revoke any current reserves within these areas.

GOULBURN OFFICE
159 Auburn Street (PO Box 748), Goulburn NSW 2580
Phone: (02) 4824 3700 Fax: (02) 4822 4287

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown Land specified in Column 1 of the Schedule hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Cooma.	The whole being Lot 72, DP
Local Government Area: Cooma-Monaro Shire Council.	No. 45228, Parish Throsby, County Beresford, of an area of 32.58 hectares.
Locality: Dangelong.	
Reserve No.: 96849.	
Public Purpose: Future public requirements.	
Notified: 15 July 1983.	
File No.: 10/13425.	

Note: Disposal of Perpetual Lease 71412.

GRIFFITH OFFICE
2nd Floor, Griffith City Plaza,
120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680
Phone: (02) 6960 3600 Fax: (02) 6962 5670

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

Parish – Kolkilbertoo South; County – Cooper;
Land District – Narrandera; L.G.A. – Bland

Road Closed: Lot 1, DP 1169108.

File No.: 10/08433.

Schedule

On closing, the land within Lot 1, DP 1169108 remains vested in the State of New South Wales as Crown Land.

MAITLAND OFFICE
Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323
Phone: (02) 4937 9300 Fax: (02) 4934 2252

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

*Parish – Merriwa; County – Brisbane;
Land District – Muswellbrook; LGA – Upper Hunter*

Road Closed: Lot 1000, DP 1164395.

File No.: 09/09686

SCHEDULE

On closing, the land within Lot 1000, DP 1164395 becomes vested in the State of New South Wales as Crown land.

Council's reference: 301/08

MOREE OFFICE**Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6750 6400 Fax: (02) 6752 1707****NOTIFICATION OF CLOSING OF A ROAD**

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

ANDREW STONER, M.P.,

Minister for Regional Infrastructure and Services

—————
Description

*Parish – Narrabri; County – Nandewar;
Land District – Narrabri; L.G.A. – Narrabri*

Road Closed: Lot 1, DP 906656.

File No.: 07/1848.

Schedule

On closing, the land within Lot 1, DP 906656 remains vested in the State of New South Wales as Crown Land.

—————

NEWCASTLE OFFICE
437 Hunter Street, Newcastle NSW 2300 (PO Box 2185, Dangar NSW 2309)
Phone: (02) 4925 4104 Fax: (02) 4925 3517

NOTIFICATION OF CLOSING OF PUBLIC ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

Parish – Jerralong; County – Argyle;
Land District – Goulburn; L.G.A. – Goulburn Mulwaree

Road Closed: Lot 1, DP 1173773 (not being land under the Real Property Act).

File No.: GB06 H 580.

Schedule

On closing, the land within Lot 1, DP 1173773 remains vested in the State of New South Wales as Crown Land.

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6391 4300 Fax: (02) 6362 3896

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown Land specified in Column 1 of the Schedules hereunder, is revoked to the extent specified opposite thereto in Column 2 of the Schedules.

ANDREW STONER, M.P.,
Deputy Premier,
Minister for Trade and Investment
and Minister for Regional Infrastructure and Services

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Orange.	The whole being Lots 180,
Local Government Area: Forbes Shire Council.	193, 195, 197, 199 in
Locality: Forbes.	DP 750136, and Lots 205,
Reserve No.: 190058.	206, 207 in DP 722288
Public Purpose:	and Lot 203 in DP 257578,
Aviation Purposes.	Parish Bocobidgle,
Notified: 10 June 1988.	County Ashburnham, of an
File Reference: 11/09526.	area of 74.54 hectares (as
	included in the area shaded
	red in the diagram below).

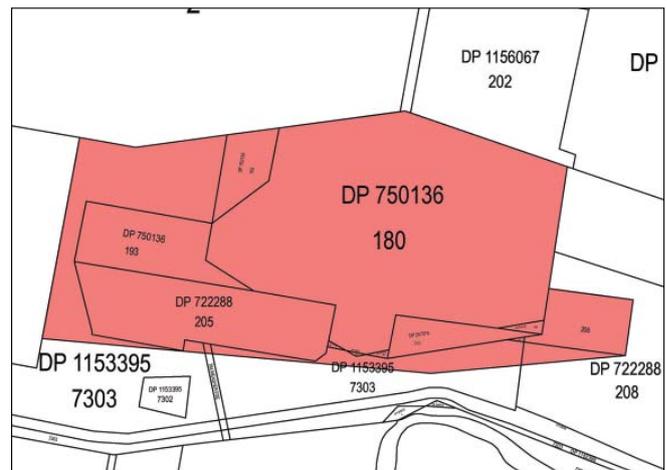
SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Land District: Orange.	The part being Lots 192 and
Local Government Area: Forbes Shire Council.	196 in DP 750136 and
Locality: Forbes.	that part of Lot 7303#
Reserve No.: 4487.	in DP 1153395 (of
Public Purpose:	approximately 14.5 hectares
Travelling Stock.	in area, to be identified by
Notified: 18 February 1888	survey), Parish Bocobidgle,
and addition	County Ashburnham, of an
3 September 1971.	area of approximately
File Reference: 11/09526.	17.37 hectares (as included
	in the area shaded red in the
	diagram below)

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>
Land District: Orange.	The part being that part of
Local Government Area: Forbes Shire Council.	Lot 208 in DP 722288
Locality: Forbes.	(of approximately
Reserve No.: 49440.	1.5 hectares in area, to
Public Purpose: Travelling	be identified by survey),
Stock and Camping.	Parish Bocobidgle,
Notified: 12 November 1913.	County Ashburnham, of an
File Reference: 11/09526.	area of approximately 1.5
	hectares (as included in
	the area shaded red in the
	diagram below)

Note: The above Lot numbers marked # are for Departmental use only. Note the land is to be sold by private treaty.



**WITHDRAWAL OF RESERVE FROM CONTROL OF
LIVESTOCK HEALTH & PEST AUTHORITY**

PURSUANT to section 86 (1) of the Rural Lands Protection Act 1998, the part of the reserve specified in Column 1 of the Schedules hereunder is withdrawn from the control of the authority specified opposite thereto in Column 2 of the Schedules.

ANDREW STONER, M.P.,
Deputy Premier,
Minister for Trade and Investment
and Minister for Regional Infrastructure and Services

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Orange.	Lachlan Livestock Health
Livestock Health & Pest	& Pest Authority.
Authority District: Lachlan	
Local Government Area: Forbes Shire Council.	
Locality: Forbes.	
Part Reserve No. 4487 for the	
public purpose of travelling	
stock, notified in the <i>New</i>	
<i>South Wales Government</i>	
<i>Gazette</i> of 18 February 1888	
and addition 3 September 1971,	
being an area of about	
17.37 hectares and identified	
by Lots 192 and 196 in	
DP 750136, and that part of	
Lot 7303# in DP 1153395	
(of approximately 14.5 hectares	
in area, to be identified by	
survey), Parish Bocobidgle,	
County Ashburnham, revoked	
this day.	
File Reference: 11/09526	
Note: The above Lot numbers marked # are for	
Departmental use only.	

SCHEDULE 2

Column 1

Land District: Orange.
 Livestock Heath & Pest
 Authority District: Lachlan
 Local Government Area:
 Forbes Shire Council.
 Locality: Forbes.
 Part Reserve No. 49440 for the
 public purpose of travelling
 stock and camping, notified in
 the *New South Wales*
Government Gazette of
 12 November 1913, being an
 area of about 1.5 hectares and
 identified by that part of
 Lot 208 in DP 722288
 (of approximately 1.5 hectares
 in area, to be identified by
 survey), Parish Bocobidgle,
 County Ashburnham, revoked
 this day.
 File Reference: 11/09526

Column 2

Lachlan Livestock Health
 & Pest Authority.

**ORDER – AUTHORISATION OF ADDITIONAL
PURPOSE UNDER S121A**

PURSUANT to section 121A of the Crown Lands Act 1989,
 I authorise by this Order, the purpose specified in Column
 1 to be an additional purpose to the declared purpose of
 the reserves specified opposite thereto in Column 2 of the
 Schedule.

ANDREW STONER, M.P.,
 Minister for Regional Infrastructure and Services

SCHEDULE

Column 1

Government purposes.

Column 2

Dedication No.: 1001061.
 Public Purpose: Shire council
 chambers.
 Notified: 1 April 1932.
 File No.: 12/02399.

ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to Clause 4 (3) of Schedule 8 of the Crown
 Lands Act 1989, the name specified in Column 1 of
 the Schedule hereunder, is assigned to the reserve trust
 constituted as trustee of the reserve specified opposite thereto
 in Column 2 of the Schedule.

ANDREW STONER, M.P.,
 Minister for Regional Infrastructure and Services

SCHEDULE

Column 1

Waugoola Building
 Reserve Trust.

Column 2

Dedication No.: 1001061.
 Public Purpose: Shire council
 chambers.
 Notified: 1 April 1932.
 File No.: 12/02399.

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5365

PLAN OF MANAGEMENT FOR WAVERLEY PARK,
 BONDI JUNCTION, UNDER PART 5, DIVISION 6,
 OF THE CROWN LANDS ACT 1989 AND
 CROWN LANDS REGULATION 2006

A draft plan of management 2012 has been prepared for the Crown reserve described below, which is under the trust management of Waverley Council.

The draft plan can be viewed at Waverley Council Offices

55 Spring Street, Bondi Junction, Waverley Library, 32-48 Denison Street, Bondi Junction and Council's website www.waverley.nsw.gov.au.

The public are invited to make representations on the draft plan. The plan will be on exhibition from 27 April 2012 until 8 June 2012. Submissions will be received up until Friday 8 June 2012 and should be sent to Anna Tolich Landscape Architect Recreation Community Planning and Partnerships, Waverley Council, 31-33 Spring Street, Bondi Junction NSW 2022 or by email: AnnaT@waverley.nsw.gov.au.

ANDREW STONER, M.P.,
 Minister for Regional Infrastructure and Services.

Description of Land

*Land District – Metropolitan; L.G.A. – Waverley
 Parish – Alexandria; County – Cumberland*

Crown Reserve D.500494 gazetted 1 November 1940 for the public purpose of public recreation and public park, being Lot 31 in DP 1087364. Location: Bondi Junction

File No.: 12/02715

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92 (3) of the Crown Lands Act 1989, the reserve trusts specified in Column 1 of the Schedule hereunder, which were established in respect of the reserves specified opposite thereto in Column 2 of the Schedule, are dissolved.

KATRINA HODGKINSON, M.P.,
 Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Anglican Cemetery Trust, Necropolis	The Anglican portions of the Rookwood Necropolis dedicated 7 April 1868 and December 1887 (D500912) File Reference: 12/041393
Independent Cemetery Trust, Necropolis	The Independent portions of the Rookwood Necropolis dedicated 7 April 1868 and December 1887 (D500906) File Reference: 12/041393

General Cemetery Trust, Necropolis

The General portions of the Rookwood Necropolis dedicated 7 April 1868 and December 1887 (D500913) File Reference: 12/041393

Jewish Cemetery Trust, Necropolis

The Jewish portions of the Rookwood Necropolis dedicated 7 April, 1868 and December, 1887 (D500903) File Reference: 12/041393

Muslim Cemetery Trust, Necropolis

The Muslim portions of the Rookwood Necropolis dedicated 7 April, 1868 and December, 1887 (D5009042) File Reference: 12/041393

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule. The establishment of this trust is subject of a Ministerial directions under the provisions of section 111A, Crown Lands Act, found in Crown Lands files doc12/044713.

KATRINA HODGKINSON, M.P.,
 Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Rookwood General Cemeteries Reserve Trust	The Anglican portions of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D5000912) The Independent portions of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500906) The General Portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500913) The Jewish Portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500903) The Muslim portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500904) File Reference: 12/041393

**APPOINTMENT OF AN ADMINISTRATOR OF A
RESERVE TRUST**

PURSUANT to section 117 of the Crown Lands Act 1989, the person specified in Schedule 1 hereunder, is appointed to be the administrator of the reserve trust specified in Schedule 2, which is the trustee of the reserves referred to in Schedule 3, for a term up to six months commencing from the date of this notice.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

—————
SCHEDULE 1

Derek WILLIAMS

—————
SCHEDULE 2

Rookwood General Cemeteries Reserve Trust

—————
SCHEDULE 3

The Anglican portions of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D5000912)

The Independent portions of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500906)

The General Portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500913)

The Jewish Portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500903)

The Muslim portion of the Rookwood Necropolis dedicated 7 April 1868 and 2 December 1887 (D500904)

File Reference: 12/041393

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TAMWORTH OFFICE
25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340
Phone: (02) 6764 5100 Fax: (02) 6766 3805

**APPOINTMENT OF ADMINISTRATOR TO
MANAGE A RESERVE TRUST**

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Peter HOLLOWAY	Lake Keepit State Park Trust	Reservation No.: 1001338 Public Purpose: Public recreation Notified: 12 July 1974 File No.: 08/2246

For a term of
six months
commencing
the day of this notice.

WAGGA WAGGA OFFICE
Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650
Phone: (02) 6937 2700 Fax: (02) 6921 1851

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

Parish – Thugga; County – Hume; Land District – Albury;
L.G.A. – Greater Hume Shire Council

Road Closed: Lot 1, DP 1170441.

File No.: 11/07186.

Schedule

On closing, the land within Lot 1, DP 1170441 remains vested in the State of New South Wales as Crown Land.

Description

Parishes – Morven and Thugga; County – Hume;
Land District – Albury;
L.G.A. – Greater Hume Shire Council

Road Closed: Lot 2, DP 1170441.

File No.: 11/07187.

Schedule

On closing, the land within Lot 2, DP 1170441 remains vested in the State of New South Wales as Crown Land.

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 5400 Fax: (02) 6884 2067

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 9 March 2012, Folio 649, under the heading "Alteration of Purpose/Conditions of a Western Lands Lease" (being Western Lands Lease 10391), the purpose altered should read:

"The purpose/conditions of Western Lands Lease 10391, being the land contained within Folio Identifier 4363/767200 has been altered from "Grazing" to "Grazing and Cultivation (Dryland)" effective from 1 March 2012".

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Service

WATER**WATER MANAGEMENT ACT 2000**

Order under Section 130 (2)

Inclusion of Land in Murray Irrigation's
Area of Operations

PURSUANT to section 130 (2) of the Water Management Act, I, DAVID HARRISS, having delegated authority from the Minister for Primary Industries, do, by this Order, include the land listed in Schedule 1 within the area of operations of Murray Irrigation Limited.

This Order takes effect on the date that the Order is published in the *NSW Government Gazette*.

Signed at Albury this 5th day of April 2012.

DAVID HARRISS,
Commissioner,
NSW Office of Water
Signed for the Minister for Primary Industries
(by delegation)

SCHEDULE 1

Lots 33, 34, 35, 110, 111, 112, 113, 24 and 39, DP 756353,
Parish of Yalgadoori, County of Townsend.

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Furnishing – Blinds and Awnings
- Furnishing – Design of Kitchens, Bathrooms and Interior Spaces
- Furnishing – Floor Technology
- Furnishing – Furniture Finishing
- Furnishing – Furniture Making
- Furnishing – Kitchens and Bathrooms (Client Services)
- Furnishing – Mattress and Base Making
- Furnishing – Picture Framing
- Furnishing – Security Screens and Grills
- Furnishing – Soft Furnishing
- Furnishing – Technology
- Furnishing – Upholstery,

under section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the *NSW Government Gazette*.

Copies of the Orders may be inspected at any State Training Services Regional Office of the Department of Education and Communities or on the Internet at https://www.training.nsw.gov.au/cib_vto/cibs/cib_538.html

Notice is also given that the recognised traineeship vocation of Furnishing is now repealed.

APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised trade vocations of:

- Furnishing – Cabinet Making (Furniture)
- Furnishing – Cabinet Making (Kitchens and Bathrooms)
- Furnishing – Floor Technology
- Furnishing – Furniture Finishing
- Furnishing – Glass and Glazing
- Furnishing – Picture Framing
- Furnishing – Upholstery
- Furnishing – Wood Machining,

under section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the *NSW Government Gazette*.

Copies of the Orders may be inspected at any State Training Services Regional Office of the Department of Education and Communities or on the Internet at https://www.training.nsw.gov.au/cib_vto/cibs/cib_537.html

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration Pursuant to Section 80

TAKE notice that AUSTRALASIAN REPORTING AWARDS INCORPORATED (Y1510600) became registered under the Corporations Act 2001 as Australasian Reporting Awards Limited – ACN 145 956 172, a public company limited by guarantee on 27 September 2010 and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Dated 23 April 2012.

SUSAN McLOUGHLIN,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration Pursuant to Section 80

TAKE notice that INTEREACH NSW INCORPORATED Y0072748 became registered under the Corporations Act 2001 as Intereach Limited – ACN 143 880 219, a public company limited by guarantee on 9 June 2010 and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Dated 14 July 2011.

SUSAN McLOUGHLIN,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 76

TAKE notice that the incorporation of the following associations are cancelled by this notice pursuant to section 76 of the Associations Incorporation Act 2009.

Cancellation is effective as at the date of gazettal.

Griffith Cook Islands Community Incorporated – Inc9893330

Mittagong Hockey Club Incorporated – Y2284030

The Bodhichitta Group Incorporated – Inc9892718

Mill Creek Settlement Property Owners Association Incorporated – Inc9882691

Central Coast Youth Commitment Incorporated – Inc9879597

Australian Indian Business Congress Incorporated – Inc9889921

F.A.B Star Youth Association Incorporated – Inc9891221

Relationship Skills Institute Incorporated – Inc9893247

Sydney Sudanese Youth Care Incorporated – Inc9886564

Australian Egyptian Human Rights Association Incorporated – Inc9882105

Harbourfeast Incorporated – Inc9894855
 Support – Support and Understanding for People
 Affected by Perinatal Depression – Outcomes,
 Risks and Treatments Incorporated – Inc9893576

Dated this 18th day of April 2012.

ROBYNE LUNNEY,
 Delegate of the Commissioner,
 NSW Fair Trading,
 Department of Finance & Services

- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 expires five years from the date of this order, unless revoked or varied at an earlier time.

Date: 19 April 2012.

ROSS WOODWARD,
 Chief Executive, Local Government,
 Delegate of the Director General,
 Department of Premier and Cabinet

COMPANION ANIMALS REGULATION 2008

ORDER

Organisations Approved by the Chief Executive,
 Local Government, under Clause 16 (d) of the
 Companion Animals Regulation 2008

PURSUANT to clause 16 (d) of the Companion Animals Regulation 2008, the organisation listed in Schedule 1 is hereby approved, subject to the conditions contained in Schedule 2.

SCHEDULE 1

<i>Name of organisation</i>	<i>Address of organisation</i>	<i>Name of contact officer for organisation</i>
Border Rescue, Grooming & Transport	20 Ambrose Crescent, Wodonga Vic 3690	Ms Karen Thompson

SCHEDULE 2

- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation is holding that animal for the sole purpose of re-housing the animal with a new owner.
- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation maintains appropriate records that show compliance with the Companion Animals Act 1998, Companion Animals Regulation 2008 and the Guidelines for Approval to be an Organisation Exempt from Companion Animal Registration under clause 16 (d) of the Companion Animals Regulation 2008.
- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation maintains a register that is made available to the relevant local council and the Division of Local Government, Department of Premier and Cabinet as requested. The Register must list the names of all carers involved in the rehoming of animals and the locations of all animals received under the exemption while in the custody of the organisation.

COMPANION ANIMALS REGULATION 2008

ORDER

Organisations Approved by the Chief Executive,
 Local Government under Clause 16 (d) of the
 Companion Animals Regulation 2008

PURSUANT to clause 16 (d) of the Companion Animals Regulation 2008, the organisation listed in Schedule 1 is hereby approved, subject to the conditions contained in Schedule 2.

SCHEDULE 1

<i>Name of organisation</i>	<i>Address of organisation</i>	<i>Name of contact officer for organisation</i>
Maggie's Rescue	72 Sutherland Street, St Peters NSW 2044	Ms Lisa Wright

SCHEDULE 2

- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation is holding that animal for the sole purpose of re-housing the animal with a new owner.
- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation maintains appropriate records that show compliance with the Companion Animals Act 1998, Companion Animals Regulation 2008 and the Guidelines for Approval to be an Organisation Exempt from Companion Animal Registration under clause 16 (d) of the Companion Animals Regulation 2008.
- The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 only applies to an animal in the custody of an organisation listed in Schedule 1 if the organisation maintains a register that is made available to the relevant local council and the Division of Local Government, Department of Premier and Cabinet as requested. The Register must list the names of all carers involved in the rehoming of animals and the locations of all animals received under the exemption while in the custody of the organisation.

4. The exemption under clause 16 (d) of the Companion Animals Regulation 2008 from the requirements of section 9 of the Companion Animals Act 1998 expires five years from the date of this order, unless revoked or varied at an earlier time.

Date: 19 April 2012.

ROSS WOODWARD,
Chief Executive, Local Government,
Delegate of the Director General,
Department of Premier and Cabinet

DISTRICT COURT ACT 1973

District Court of New South Wales

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Albury	10.00am	17 September 2012 (1 week) In lieu of 17 September 2012 (2 weeks)
Newcastle	10.00am	23 July 2012 (1 week) In lieu of 23 July 2012 (2 weeks)
Newcastle	10.00am	10 September 2012 (2 weeks) In lieu of 10 September 2012 (3 weeks)
Taree	10.00am	29 October 2012 (1 week) In lieu of 22 October 2012 (2 weeks)

Dated this 23rd day of April 2012.

R. O. BLANCH,
Chief Judge

GEOGRAPHICAL NAMES ACT 1966

Notice to Amend Address Locality Boundaries
Within the North Sydney Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended the address locality boundaries of Cremorne and Cremorne Point in the North Sydney Local Government Area as shown on map GNB 3708-4.

The position and extent of these features are shown in the Geographical Names Register of New South Wales which can be viewed on the Geographical Names Board's internet site at www.gnb.nsw.gov.au

KEVIN RICHARDS,
Acting Secretary

Geographical Names Board,
PO Box 143, Bathurst NSW 2795

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
Under Section 37 (1) (b)

Royal National Park Coastal Cabin Communities of
South Era, Little Garie and Burning Palms

SHR No. 01878

IN pursuance of section 37 (1) (b) of the Heritage Act 1977, the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Sydney, this 7th day of February 2012.

Heritage Council of New South Wales

SCHEDULE "A"

The item known as Royal National Park Coastal Cabin Communities of South Era, Little Garie and Burning Palms, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part of Lot 1, DP 752018; Lot 13, DP 752018 and Lot 44, DP 752018 and part of the unidentified land to the south west of Lot 1, DP 752018 in Parish of Bulgo, County of Cumberland, as shown on the plan catalogued HC 2513 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (a)
to List an Item on the State Heritage Register

Royal National Park Coastal Cabin Communities of
South Era, Little Garie and Burning Palms

SHR No. 01878

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Heritage, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, this 7th day of February 2012.

The Hon. ROBYN PARKER, M.P.,
Minister for Heritage

SCHEDULE "A"

The item known as Royal National Park Coastal Cabin Communities of South Era, Little Garie and Burning Palms, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part of Lot 1, DP 752018; Lot 13, DP 752018 and Lot 44, DP 752018

and part of the unidentified land to the south west of Lot 1, DP 752018 in Parish of Bulgo, County of Cumberland, as shown on the plan catalogued HC 2513 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

PROPOSED EXEMPTIONS UNDER SECTION 57 (2)	
<i>Exemptions</i>	<i>Reason/ comments</i>
1. All Standard Exemptions	These cover a full range of activities that do not require Heritage Council approval, including Standard Exemption 7 which allows consideration of additional unspecified types of minor works for exemption.
2. Agreed Future Works to the Cabins: <ol style="list-style-type: none"> 1. Works and activities clearly identified in the "Condition Standards for Coastal Cabins within Royal National Park" and the Conservation Management Plan (Brooks July 2005) for cabin areas. 2. Removal of three cabins that have been identified as requiring removal: cabin 15 South Era, cabin 28 Burning Palms and cabin 29 Burning Palms. These cabins have been subject to a Review of Environmental Factors and a Heritage Impact Statement and approval for their removal has been given. 3. Rebuilding of cabin 28 in accordance with the 2008 Conservation Management Plan for the cabins and the Cabin Works Application Package. 4. The removal or installation of ancillary service structures (which includes toilets and sheds associated with the cabins). 5. Infrastructure maintenance and enhancement including energy saving works and the installation of sustainable technologies. 	To ensure that future planned works for the cabins which are designed to ensure safe and appropriate living conditions and are considered appropriate in the Conservation Management Plan for the sites are not subject to unnecessary and overly burdensome approvals processes.

<i>Exemptions</i>	<i>Reason/ comments</i>
6. Change of use of a small number of unlicensed or unoccupied cabins to enable short term stays by members of the general public.	
7. Public use cabins to be brought up to Building Code of Australia requirements for public accommodation buildings if applicable.	
3. Park Management Activities: <ol style="list-style-type: none"> 1. Activities of a temporary nature associated with major events that are in accordance with the Plan of Management; 2. Fire management, bush regeneration, threatened species recovery and pest management activities except where there is a conflict with the identified significance. Such activities may include controlled burning, weed and feral animal eradication, spraying and research in accordance with relevant fire management plans, recovery plans, bush regeneration and pest management plans; 3. Track maintenance, upgrades and improvements subject to Review of Environmental Factors approval which includes a Heritage Impact Statement and consideration of archaeological features; 4. Installation of public toilets by PWG consistent with Plan of Management, subject to a Review of Environmental Factors which includes a Heritage Impact Statement and consideration of archaeological features. 	To ensure that standard and necessary National Park management requirements are not subject to Approvals under the Heritage Act.

NATIONAL PARKS AND WILDLIFE ACT 1974

Watchimbark Nature Reserve and
Goorooyaroo Nature Reserve
Draft Plans of Management

DRAFT plans of management for the Watchimbark Nature Reserve and Goorooyaroo Nature Reserve have been prepared and are on exhibition until 30 July 2012.

Copies of the Watchimbark plan are available free of charge from the NPWS Barrington Tops Area office, 59 Church Street, Gloucester (phone 6538 5300), and the Hunter Region office, 12B Teramby Road, Nelson Bay (phone 4984 8200). Copies of the Goorooyaroo plan are available from the NPWS Queanbeyan Area office at 11 Farrer Place, Queanbeyan (phone 6229 7166). The plans are also on the website: www.environment.nsw.gov.au.

Written submissions on the Watchimbark plan must be received by The Ranger (Watchimbark Nature Reserve), NPWS, PO Box 236, Gloucester NSW 2337 by Monday, 30 July 2012. Written submissions on the Goorooyaroo plan must be received by The Planner (Goorooyaroo Nature Reserve), NPWS, PO Box 733, Queanbeyan NSW 2620 by Monday, 30 July 2012.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request. Your comments on this plan may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

**SURVEYING AND SPATIAL INFORMATION
ACT 2002**

Registration of Surveyors

PURSUANT to the provisions of the Surveying and Spatial Information Act 2002, section 10 (1) (a), the undermentioned persons have been registered as Land Surveyors in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
BLACK, Jamie Richard	116 Military Road Neutral Bay 2089	27 March 2012
CAMPBELL, Thomas Frank	PO Box 372 Bungendore 2621	26 March 2012

D. J. MOONEY, President
S. G. GLENCORSE, Registrar

Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying and Spatial Information Act 2002, section 10A (3), the undermentioned Land Surveyors has been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
HAYES, Wayne Anthony	9 October 2003	1 September 2009	24 February 2012

D. J. MOONEY, President
S. G. GLENCORSE, Registrar

SYDNEY WATER ACT 1994LAND ACQUISITION (JUST TERMS
COMPENSATION) Act 1991

Notice of Compulsory Acquisition of an Easement at
Bidwill in the Local Government Area of Blacktown

SYDNEY WATER CORPORATION declares, with the approval of Her Excellency, the Governor, that the interest in land described in Schedule hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of the Sydney Water Act 1994.

Dated at Parramatta this 19th day of April 2012.

Signed for Sydney Water Corporation by its Attorneys MARK ROWLEY and ROBERT EDWARD SEYMOUR who hereby state at the time of executing this instrument have no notice of the revocation of the Power of Attorney Registered No. 606, Book 4541, under the Authority of which this instrument has been executed.

SCHEDULE

1. An Easement for Access and Services more fully described in Memorandum AE292282 lodged at the LPI, over all that piece or parcel of land in the Local Government Area of Blacktown, Parish of Rooty Hill, County of Cumberland and shown on Deposited Plan 1160656 as "(A) Proposed Easement for Services 8.27 wide (115.9m²)" affecting Lot 2 on Deposited Plan 1013498.

WORK HEALTH AND SAFETY REGULATION 2011

(Clause 684)

Exemption Order No. 002/12

I, Tony Robinson, Director, Specialist Services Group of the WorkCover Authority of New South Wales, pursuant to clause 684 of the Work Health and Safety Regulation 2011 grant the following exemption.

Work Health and Safety Regulation 2011

Exemption Order No. 002/12

1. Name of Order
This Exemption Order is the Work Health and Safety Regulation 2011 Exemption No. 002/12.
2. Commencement
This Order commences on the 27th day of April 2012, and has effect for a period of two years from that date.
3. Exemption
Pesticide users who are staff or contractors of Endeavour Energy specified in Schedule 1 are exempt from clause 65 of Schedule 18B of the Work Health and Safety Regulation 2011, subject to the conditions specified in Schedule 2.

SCHEDULE 1

1. Users, the pole asset inspection staff of Endeavour Energy and the contractors, who use the pesticides to control termites and treat timber under the instructions of Endeavour Energy.

SCHEDULE 2

- 1 The person with control of workplace or person with control of work, who authorises the use of pesticide to control termites and treat timber within the energy industry must:
 - a. ensure that the pesticides are only used by authorised persons;
 - b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
 - c. have attained the relevant chemical user's qualification issued in accordance with Level 4 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM401A – Minimise risks in the use of chemicals and AHCCHM402A – Plan and implement a chemical use program;
 - d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
 - e. instruct those persons in the safe use of the pesticides and ensure that any hazards identified with such use have been assessed and adequately controlled and those persons are advised of the controls;
 - f. be satisfied those persons can be relied upon to use the pesticides without placing the health and safety of themselves or others at risk; and
 - g. ensure those persons are made aware of the application and limitations of this exemption order.
2. The person so authorised to use the pesticides to control termites and treat timber, in accordance with this exemption must:
 - a. be not less than eighteen (18) years of age;
 - b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
 - c. have attained the relevant chemical user's qualification issued in accordance with Level 3 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM303A – Prepare and apply chemicals and AHCCHM304A – Transport, handle and store chemicals;
 - d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
 - e. be able to communicate to a level that enables them to perform their duties safely; and
 - f. observe safe work practices at all times whilst using the pesticides and take action to prevent any person being placed at risk.

Dated this 17th day of April 2012.

TONY ROBINSON,
Director,
Specialist Services Group,
Work Health and Safety Division,
WorkCover Authority of New South Wales

WORK HEALTH AND SAFETY REGULATION 2011

(Clause 684)

Exemption Order No. 003/12

I, Tony Robinson, Director, Specialist Services Group of the WorkCover Authority of New South Wales, pursuant to clause 684 of the Work Health and Safety Regulation 2011 grant the following exemption.

Work Health and Safety Regulation 2011

Exemption Order No. 003/12

- 1 Name of Order
This Exemption Order is the Work Health and Safety Regulation 2011 Exemption No. 003/12.
- 2 Commencement
This Order commences on the 27th day of April 2012, and has effect for a period of two years from that date.
- 3 Exemption
Pesticide users who are staff or contractors of Essential Energy specified in Schedule 1 are exempt from clause 65 of Schedule 18B of the Work Health and Safety Regulation 2011, subject to the conditions specified in Schedule 2.

SCHEDULE 1

- 1 Users, the pole asset inspection staff of Essential Energy and the contractors, who use the pesticides to control termites and treat timber under instructions from Essential Energy.

SCHEDULE 2

- 1 The person with control of workplace or person with control of work, who authorises the use of pesticide to control termites and treat timber within the energy industry must:
 - a. ensure that the pesticides are only used by authorised persons;
 - b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
 - c. have attained the relevant chemical user's qualification issued in accordance with Level 4 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM401A – Minimise risks in the use of chemicals and AHCCHM402A – Plan and implement a chemical use program;
 - d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
 - e. instruct those persons in the safe use of the pesticides and ensure that any hazards identified with such use have been assessed and adequately controlled and those persons are advised of the controls;
 - f. be satisfied those persons can be relied upon to use the pesticides without placing the health and safety of themselves or others at risk; and
 - g. ensure those persons are made aware of the application and limitations of this exemption order.
- 2 The person so authorised to use the pesticides to control termites and treat timber, in accordance with this exemption must:

- a. be not less than eighteen (18) years of age;
- b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
- c. have attained the relevant chemical user's qualification issued in accordance with Level 3 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM303A – Prepare and apply chemicals and AHCCHM304A – Transport, handle and store chemicals;
- d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
- e. be able to communicate to a level that enables them to perform their duties safely; and
- f. observe safe work practices at all times whilst using the pesticides and take action to prevent any person being placed at risk.

Dated this 17th day of April 2012.

TONY ROBINSON,
Director,
Specialist Services Group,
Work Health and Safety Division,
WorkCover Authority of New South Wales

WORK HEALTH AND SAFETY REGULATION 2011

(Clause 684)

Exemption Order No. 004//12

I, Tony Robinson, Director, Specialist Services Group of the WorkCover Authority of New South Wales, pursuant to clause 684 of the Work Health and Safety Regulation 2011 grant the following exemption.

Work Health and Safety Regulation 2011

Exemption Order No. 004/12

1. Name of Order

This Exemption Order is the Work Health and Safety Regulation 2011 Exemption No. 004/12.

2. Commencement

This Order commences on the 27th day of April 2012, and has effect for a period of two years from that date.

3. Exemption

Pesticide users who are staff or contractors of Ausgrid specified in Schedule 1 are exempt from clause 65 of Schedule 18B of the Work Health and Safety Regulation 2011, subject to the conditions specified in Schedule 2.

SCHEDULE 1

- 1 Users, the pole asset inspection staff of Ausgrid and the contractors, who use the pesticides to control termites and treat timber under instructions from Ausgrid.

SCHEDULE 2

1. The person with control of workplace or person with control of work, who authorises the use of pesticide to control termites and treat timber within the energy industry must:

- a. ensure that the pesticides are only used by authorised persons;
 - b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
 - c. have attained the relevant chemical user's qualification issued in accordance with Level 4 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM401A – Minimise risks in the use of chemicals and AHCCHM402A – Plan and implement a chemical use program;
 - d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
 - e. instruct those persons in the safe use of the pesticides and ensure that any hazards identified with such use have been assessed and adequately controlled and those persons are advised of the controls;
 - f. be satisfied those persons can be relied upon to use the pesticides without placing the health and safety of themselves or others at risk; and
 - g. ensure those persons are made aware of the application and limitations of this exemption order.
2. The person so authorised to use the pesticides to control termites and treat timber, in accordance with this exemption must:

- a. be not less than eighteen (18) years of age;
- b. meet all the relevant current requirements of the Pesticides Regulation 2009 including pesticide use notification and record keeping requirements;
- c. have attained the relevant chemical user's qualification issued in accordance with Level 3 of the Australian Qualifications Framework (AQF) such as ChemCert or SMARTtrain that includes units AHCCHM303A – Prepare and apply chemicals and AHCCHM304A – Transport, handle and store chemicals;
- d. have undergone the Pole Inspectors Training (TAFE Course No. 27510);
- e. be able to communicate to a level that enables them to perform their duties safely; and
- f. observe safe work practices at all times whilst using the pesticides and take action to prevent any person being placed at risk.

Dated this 17th day of April 2012.

TONY ROBINSON,
Director,
Specialist Services Group,
Work Health and Safety Division,
WorkCover Authority of New South Wales



LOCAL COURT PRACTICE NOTE CRIM 1

ISSUED: 4 April 2012
COMMENCES: 1 May 2012

Case management of criminal proceedings in the Local Court

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PART A - INTRODUCTION

1. APPLICATION

This Practice Note applies in relation to matters in the Local Court's criminal jurisdiction, including summary proceedings and proceedings for indictable offences being dealt with summarily.

2. OBJECTS

The objects of this Practice note are to ensure that matters in the Local Court's criminal jurisdiction are finalised in a timely and proper fashion in accordance with the Local Court's published time standards, and to set out practices in relation to other procedural or ancillary aspects of such proceedings.

3. COMMENCEMENT

This Practice Note commences on 1 May 2012.

4. REVOCATION OF PRACTICE NOTES

The following Practice Notes are repealed on the commencement of this Practice Note:

- (i) 1 of 2001 Vacating hearing dates and applications for adjournment (insofar as it applies to criminal proceedings only)
- (ii) 5 of 2002 Magistrates Early Referral Into Treatment (MERIT) programme
- (iii) 3 of 2004 Criminal proceedings involving child witnesses
- (iv) 4 of 2005 Media access to sexual assault proceedings heard in camera
- (v) 4 of 2007 Provision of Psychiatric Reports to Correctional Facilities
- (vi) 5 of 2007 Procedures for persons in custody at Courts / Circuits with no AVL facilities
- (vii) 7 of 2007 Listing Procedure for Summary Criminal Trials
- (viii) 7 of 2008 Use of Audio Visual Link in criminal and civil proceedings (insofar as it applies to criminal proceedings only)
- (ix) 2 of 2010 State Debt Recovery Office Annulment Applications
- (x) 2 of 2011 Forum Sentencing Program
- (xi) 1 of 2012 Procedures to be adopted for Domestic Violence matters

PART B – PROCEDURE

5. SUMMARY CRIMINAL TRIALS

5.1 Application

- (a) Subject to Chapter 10 (Summary hearings for domestic violence offences), this Chapter applies to:
- Proceedings for summary offences, and
 - Proceedings for offences listed in Table 1 or 2 of Schedule 1 to the *Criminal Procedure Act 1986* ('CPA') where no election to proceed on indictment has been made ('Table matters').

5.2 Objects

- (a) In addition to the objects specified in Part A, this Chapter has the objects of ensuring that:
- summary criminal trials are heard within the Local Court's published time standards;
 - the unnecessary attendance at Court of prosecution witnesses who are not required for cross-examination is avoided; and
 - the legislative purpose in s 260 CPA in respect of Table matters is applied.
- (b) To achieve these objects, paragraphs 5.3 - 5.8 apply.

5.3 Table matters

- (a) On the first mention, if there is no decision as to whether or not an election is to be made in a Table matter:
- (i) If the accused enters a plea of not guilty – orders will be made for the service of the brief in accordance with paragraph 5.4;
- (ii) If the accused enters a plea of guilty –
- the prosecution will be entitled to an adjournment for 2 weeks to consider whether or not to make an election; and
 - the facts are not to be tendered.
- (b) Pursuant to s 263(1) CPA, an election must be made on or by the first return date after an order is made for service of the brief of evidence (ordinarily, the second mention). The proceedings are to be dealt with summarily in accordance with this Chapter unless an election is made.
- (c) If an election is made, the matter is to proceed in accordance with Practice Note Comm 1.

5.4 First mention

- (a) On the first mention, if the accused enters a plea of not guilty, a Magistrate or the Registrar is to:
 - (i) Make orders for service of the prosecution brief of evidence upon the accused in 4 weeks; and
 - (ii) Adjourn the proceedings for mention for reply in 6 weeks.

in all matters other than those mentioned in clause 21 of the Criminal Procedure Regulation 2010, which do not require a brief of evidence.

- (b) Where a plea of not guilty is entered in relation to a matter mentioned in clause 21 of the Criminal Procedure Regulation 2010 as a matter for which a brief of evidence is not required, the matter is to be listed for hearing without requiring the prosecution to serve a brief.
- (c) A brief of evidence must include a Court Listing Advice listing the statements contained within the brief in the form set out in Attachment A.
- (d) Service is to be effected upon the accused in accordance with the provisions of the Part 5 of the Local Court Rules 2009.

5.5 Second mention

On the second mention, unless the accused enters a plea of guilty, the Court will list the matter for hearing at the earliest available opportunity.

5.6 Adjournments

- (a) Adjournments or other variations to the above timetable will not be granted unless the Court is satisfied that departure from the timetable is in the interests of justice.
- (b) Failure to finalise a brief in accordance with the above timetable will not, of itself, provide the basis for an adjournment for further time for service of the brief. Unless a plea of guilty is entered or the interests of justice require otherwise, the Court will:
 - (i) List the matter for hearing; and
 - (ii) Order that the balance of the brief be served not less than 14 days prior to the allocated hearing date.
- (c) In the event the Court is informed of a failure to finalise a brief in accordance with the above timetable due to delays in forensic analysis of material, the Court will consider whether to grant an adjournment only if:

- (i) The party seeking the forensic analysis informs the Court of the date the material was sent for forensic analysis, and
- (ii) The Court is satisfied the results of the forensic analysis are likely to assist in the determination of the proceedings.

5.7 Matters where accused is legally represented

- (a) This paragraph applies only where the accused is represented by a barrister or a solicitor.
- (b) To assist in the prompt and effective service of the brief, the legal representative of the accused at the time of the making of the brief service order is to complete, sign and hand to both the prosecutor and the Court a Notice of Appearance (Attachment A).
- (c) Upon the adjourned date, in the event that a plea of not guilty is adhered to, the legal representative of the accused is to hand to the Court and to the prosecutor a completed Court Listing Advice (Attachment B).
- (d) The prosecution is required only to call at the hearing those witnesses nominated for cross-examination on the Listing Advice. A notation on the Court Listing Advice by the legal representative of the accused that a witness is not required to be called for cross-examination does not prevent the prosecution calling that witness in the prosecution case if the prosecutor is of the opinion the witness is required. The remainder of the brief of evidence must be tendered by the prosecution in its case.

5.8 Costs

Pursuant to s 216 CPA, the court may order that a party to pay such costs as it may determine where it is satisfied that the other party has incurred additional costs because of the unreasonable conduct or delays of the first party.

6. VACATING HEARING DATES

6.1 General

- (a) When a hearing date has been allocated, it will not be vacated unless the party seeking to vacate shows cogent and compelling reasons.
- (b) Any application to vacate a hearing date must be in writing in the form of Attachment C and must be made not less than 21 days prior to the allocated hearing date, or such other period (whether longer or shorter) as in the opinion of the presiding magistrate will allow time to list other matters for hearing on the date(s) to be vacated.
- (c) In the first instance the application shall be dealt with by a Magistrate in Chambers and shall only be listed in court at the direction of the Magistrate.
- (d) The party bringing the application must give notice to the opposing party or parties of the application.

6.2 Urgent applications

- (a) Where urgent and unforeseen circumstances arise within the 21 days of the allocated hearing date, an application to vacate a hearing date should be made as soon as practicable after a party has become aware of grounds for such application and, in any event, not later than the next working day.
- (b) Upon an application to vacate a hearing date on the grounds of illness, the party making the application will be required to produce a medical certificate within a period specified by the court.

6.3 Change of plea

When instructions are received to enter a plea of guilty in a matter fixed for defended hearing, the prosecution and the court should be advised at the earliest opportunity.

7. **AUDIO VISUAL LINK (AVL) FACILITIES**

7.1 **Procedures to be adopted for persons in custody at Courts/ Circuits with no AVL facilities**

- (a) **Courts without AVL facilities:** Presiding magistrates at the Local Court locations without AVL facilities ('original courts') will adjourn all matters (other than matters for hearing or sentence) where accused persons are in custody, to the nearest or appropriate allocated courthouse with AVL facilities in accordance with the table set out at Attachment D.
- (b) **Courts with AVL facilities:** Presiding Magistrates at Local Court locations with AVL facilities will manage all matters involving persons in custody from surrounding courts including:
 - (i) Hearing of bail applications;
 - (ii) Making of brief orders;
 - (iii) Making of further brief orders;
 - (iv) Listing matters for hearing or sentence at the original Court;
 - (v) Adjournments.
- (c) When a matter from a surrounding court is ready to be listed for hearing or sentence, it will be necessary for the parties through the registrar at the Court with the AVL facility to ascertain a suitable date for the adjournment of the matter to the original court for hearing or sentence.
- (d) This Chapter does not affect arrangements currently in place for Centralised Committals nor the courts at which committal proceedings are dealt with.

8. DEFENDANTS WITH A MENTAL ILLNESS

8.1 Provision of Psychiatric Reports to Correctional Facilities

- (a) In many cases coming before the Court, psychiatric reports (including those from Justice Health prepared by Court Nurse Clinicians) are tendered during the proceedings. Often it would be of assistance to the Department of Corrective Services and prisoners if these reports were transported back to the prison with the prisoner. The Department of Corrective Services has agreed to facilitate this.
- (b) In cases where it is requested that a report accompany the prisoner, a separate copy of the report should be placed in a sealed envelope and addressed to the Nursing Unit Manager of the correctional centre or a nominated person within Justice Health.

8.2 Section 33(1)(a) applications

When making an order for a defendant to be taken to hospital for assessment and possible admission for treatment under section 33(1)(a) of the *Mental Health (Forensic Provisions) Act 1990*, no bail determination is required. A bail determination is not to be made unless and until the person is brought back before the Court after not being admitted for treatment.

9. MEDIA RECORDING OF PROCEEDINGS

9.1 Object

- (a) This Chapter sets out the procedure for making arrangements pursuant to section 9(2)(a) of the *Court Security Act 2005* for the recording and dissemination of court proceedings by media representatives.
- (b) The object of this Chapter is to facilitate the fair and accurate reporting of proceedings having regard to the principle of open justice.

9.2 Definitions

In this Chapter:

- **media representative** means a person with appropriate professional identification who is engaged in preparing a report of court proceedings for a recognised media organisation;
- **publication** means the publishing, broadcasting, transmitting, printing or disseminating by other means of all or part of a recording, whether on the Internet or otherwise;
- **recording** means the capturing on a medium of audio and/or visual content.

9.3 Application

- (a) A media representative seeking to use a recording device in court at the hearing of a proceeding must apply to the presiding Magistrate through the registrar of the court where the proceeding is to be held.
- (b) Wherever possible, the application is to be made prior to the date of hearing and will be dealt with in chambers. This is to ensure that, where an application is approved, suitable arrangements for the placement of recording devices can be made where required prior to the proceeding being held.

9.4 Determination

- (a) Determination of whether or not to approve an application to use a recording device in court is at the discretion of, and subject to any reasonable conditions imposed by, the presiding Magistrate.
- (b) In making a determination referred to in sub-paragraph (a), the presiding Magistrate may consider to whether it is in the interests of justice to allow the application, having regard to:
 - (i) The principle of open justice;
 - (ii) The purpose for which the approval to use a recording device in the courtroom is sought;

- (iii) Any disruption or other adverse effect that use of a recording device in the courtroom may have upon the conduct of the proceeding, or any party or other participant in the proceeding;
- (iv) Any other matter the Magistrate considers relevant.

9.5 Conditions upon approved use of recording device

- (a) Without limiting sub-paragraph 9.4(a), the following standard conditions will apply to the use of a recording device in court unless varied by the presiding Magistrate:
 - (i) The use of a recording device must not cause any disruption to the proceeding. The presiding Magistrate may direct a media representative to cease using a recording device in the event that the Magistrate is of the view that a disruption is being caused.
 - (ii) A recording device must not be used to record the private conversations of any person in the courtroom before, during or after the proceeding.
 - (iii) Only one recording device will be permitted in the courtroom. It is a condition of approval that access to any recording made in court is to be shared amongst media organisations if media representatives from more than one media organisation wish to access the recording.
 - (iv) Only sound or images of the presiding Magistrate may be recorded, unless the prior approval of the Magistrate to record sound or images of another person in the courtroom is sought and obtained prior to the hearing.

9.6 Costs

Any additional costs incurred in making arrangements for media recording pursuant to this Chapter are to be met by the media representative. The presiding Magistrate may require an undertaking to be given by the media representative when making an application to pay any additional costs.

PART C – SPECIFIC PROCEEDINGS

10. SUMMARY HEARINGS FOR DOMESTIC VIOLENCE OFFENCES

10.1 Application

This Chapter applies to all summary proceedings in respect of domestic violence offences, as defined in section 11 of the *Crimes (Domestic and Personal Violence) Act 2007*, that are listed for mention or hearing in the Local Court of New South Wales.

10.2 Object

- (a) The object of this Chapter is to ensure that, where appropriate, pleas of guilty are entered at the first available opportunity and if a plea of not guilty is entered that a hearing occurs with expedition.
- (b) The time standard applying to such matters is that the matter will be listed for hearing within 3 months of the charges being laid.

10.3 Procedure

To achieve the object set out in paragraph 10.2, the following practice directions apply:

- (a) Where a person is charged with a domestic violence offence, the prosecution shall serve on the defendant at the first available opportunity, and not later than the first mention date in court a copy of the main parts of the brief of evidence upon which the prosecution relies. The brief may be served by e-mail upon the defendant's representative. The main part of the brief is to include:
 - (i) The alleged facts;
 - (ii) A copy of the victim's statement; and
 - (iii) Any photographs on which the prosecution will rely.
- (b) The court may require the defendant to enter a plea at the first time the matter is mentioned in court. If no plea can be entered at that time, the court will allow an adjournment of not more than 7 days for a plea to be entered.
- (c) Unless a plea of guilty is entered, that matter shall be adjourned to a hearing date, with a direction that the balance of the brief be served not less than 14 days before the date fixed for hearing, in accordance with s 183 of the *Criminal Procedure Act 1986*.
- (d) Where the defendant is legally represented, within 7 days of the service of the balance of the brief, the prosecutor should be advised of which witnesses are required for cross examination and which if any witnesses statements can be tendered without the need to call them for cross-examination.

- (e) In the event that representations are sought to be made to Police, the making of representation will not delay the listing of a hearing or any other part of these standard directions.

10.4 Interpretation

This Chapter does not operate to make any written statement admissible in a proceeding for a domestic violence matter if it is not otherwise admissible.

11. SDRO ANNULMENT APPLICATIONS

11.1 Application

The procedures outlined in this Practice Note set out the manner in which an appeal against a refusal by the State Debt Recovery Office (SDRO) to grant an annulment of a penalty notice enforcement order pursuant to section 50 of the *Fines Act 1996* (*an appeal*) and, if the appeal is granted, subsequent proceedings for the offence are to proceed.

11.2 Lodging an appeal

An appeal may be lodged at *any* Local Court Registry.

11.3 Appearances by the SDRO

- (b) The SDRO may make written submissions on the appeal instead of being legally represented.
- (c) The SDRO's submissions must include a copy of the penalty notice enforcement order, and:
 - (i) The name and address for service of the prosecuting authority, and
 - (ii) The driver licence number, if known, of the person allegedly responsible for the offence.

11.4 Annulment granted – Plea of Guilty

If the Court grants the annulment, and the defendant pleads guilty to the offence, the Court will, where appropriate, proceed to determine the offence.

11.5 Annulment granted – Plea of Not Guilty

- (a) If the Court grants an annulment, and the defendant pleads not guilty to the offence, the Court will adjourn the matter to for hearing at a Court proximate to where the offence took place.
- (b) Where possible, the matter will be listed for hearing *no less than* two months after the annulment is granted.
- (c) The prosecuting authority may make an application to vacate the hearing if any witnesses will be unavailable on the adjourned date in accordance with Chapter 6 (Vacating Hearing Dates).

11.6 Costs

The Court will not consider an order in relation to costs in the appeal proceedings unless the other party has been notified that such an application is to be made.

PART D – DIVERSIONARY PROGRAMS

12. MERIT

12.1 Description, objects and availability

- (a) The MERIT program is a pre plea diversion program for defendants with drug problems conducted in the Local Court of NSW. At selected locations the MERIT program includes Alcohol MERIT for persons charged with offences before the Local Court who have alcohol problems.
- (b) The program provides for the early referral for assessment of arrested persons who are eligible for bail (or do not require bail consideration) and who are motivated and volunteer to engage in treatment and rehabilitation for their drug use problem.
- (c) The program brings together the health, justice and law enforcement systems with the focus on the reduction of criminally offending behaviour associated with drug use.
- (d) The successful engagement in the MERIT program can be taken into account in sentence proceedings.
- (e) The MERIT program is available at over 50 Local Court locations across New South Wales. Additional locations may be added from time to time. Those wishing to make a referral to the program should contact their nearest Local Court registry for information as to whether the MERIT program is available at a particular location.

12.2 Referrals to the MERIT program

- (a) Referrals for assessment into the program may come from one of the following sources:
 - (i) on apprehension by the Police who may refer a defendant for assessment into the program;
 - (ii) at the commencement of proceedings, by:
 - the defendant;
 - the defendant's lawyer;
 - the presiding Magistrate; or
 - any other person (such as family/friend, health professional, probation and parole officer).

12.3 Preliminary considerations for entry into the MERIT program

- (a) The MERIT program is designed as a pre-plea scheme to encourage referral for assessment at an early stage of the court process and entry into the program is not dependant on the person's guilt or innocence.
- (b) Notwithstanding paragraph 12.3(a) above, a plea may be entered at any time from the person's first appearance before the court until the conclusion of the program.

12.4 Criteria for eligibility to participate in the MERIT program

- (a) To be eligible to participate in the MERIT program the defendant must meet the following criteria:
 - (i) The defendant must be an adult;
 - (ii) The offences should not involve strictly indictable offences, sexual offences or offences involving significant violence and the defendant should not have like offences pending before a Court.
 - (iii) The defendant must be suspected of using drugs or have a history of drug use
 - (iv) The defendant must be eligible for bail and suitable for release on bail or not require bail consideration
 - (v) The defendant must voluntarily agree to participate

12.5 General procedure

- (a) If considered eligible to participate, the defendant should be referred to the MERIT assessment team attached to the Court for the relevant assessment to be undertaken to ensure that the defendant is suitable for the program. The Court proceedings should be adjourned for a short period to allow that assessment to occur.
- (b) As part of the assessment, the MERIT case worker will assess the nature of the defendant's drug use and other associated problems.
- (c) The case worker is to assess the defendant against the criteria for suitability for entry to the program and then formulate a proposed treatment plan for the defendant to undertake and prepare a report for the Court.
- (d) If the defendant is considered suitable for the MERIT program, the Magistrate may approve placement of the defendant onto the program.
- (e) If the defendant is considered not suitable for the program, the defendant will be asked to enter a plea and the matter will proceed in the usual way.
- (f) While awaiting the assessment report from the MERIT case worker, bail may be granted with specific conditions such as reporting and particular residential conditions applying.

- (g) When placed on the program, bail should be granted in accordance with the *Bail Act 1978*, if appropriate, and consideration may be given to imposing a relevant bail condition such as requiring compliance with all directions of the MERIT Team. Once on the program the defendant is aware that the MERIT team will report any non compliance with program conditions to the court as soon as practicable.

12.6 Treatment

- (a) Once the Magistrate formally approves the placement of the defendant on the MERIT program, the treatment plan as devised by the MERIT case worker, if it has not already commenced, will be commenced.
- (b) The determination of an appropriate treatment module is a matter solely within the discretion of the MERIT case worker. Their trained role is to identify the needs, risks, long and short term goals of the participant and then to oversee the provision of available treatment services in the best interests of that participant. Examples of the drug treatment programs available include:
- (i) medically supervised and home based detoxification;
 - (ii) methadone and other pharmacotherapies such as naltrexone and buprenorphine;
 - (iii) residential rehabilitation;
 - (iv) individual and group counselling and psychiatric treatment.
- (c) The MERIT program is generally planned as a 12 week intensive program. It may be extended in special circumstances with the agreement of the Magistrate, the MERIT case worker and the defendant.
- (d) During the treatment phase the Court effectively case manages the process. Once accepted into the MERIT Program, the defendant is required to return to Court at such intervals as determined by the Magistrate usually on the recommendation of the MERIT Team. At each adjournment, an update report is provided and the defendant required to attend unless excused by the Court with the concurrence of the MERIT Team. At the conclusion of the program a final report is provided by the MERIT team.

12.7 Breaches

- (a) Should the defendant fail the program despite sufficient opportunities to comply with the directions of the MERIT Team, the MERIT Team must, as soon as possible, notify the Court. The defendant's continuation on the program is a matter for Magisterial discretion. If the defendant is removed from the program by the Magistrate, or withdraws voluntarily at any time, the matter should be relisted as soon as possible for normal judicial management.

- (b) While minor issues of non-compliance with the agreed treatment plan need not necessarily be actioned, reference to such conduct should appear in the interim or final reports.

12.8 Conclusion of MERIT program

- (a) At the conclusion of the program, the final report will set out the achievements or otherwise of the participant under the program. At that time, the defendant will be asked (if it has not already happened) to enter a plea. The case will then proceed through the normal justice process.
- (b) On sentence, the successful completion of the MERIT program is a matter of some weight to be taken into account in the defendant's favour. At the same time, as the MERIT program is a voluntary opt in program, its unsuccessful completion should not, on sentence, attract any additional penalty.
- (c) The final sentencing outcome should be formally communicated by the Court to the MERIT Team for their recording purposes.

13 FORUM SENTENCING

13.1 Description, objects and availability

- (a) Forum sentencing is an additional sentencing option available at the following Local Court locations across New South Wales:
- Burwood / Balmain / Newtown
 - Campbelltown / Camden / Moss Vale / Picton
 - Liverpool / Fairfield
 - Tweed Heads / Murwillumbah / Byron Bay / Mullumbimby
 - Newcastle / Toronto/ Belmont / Raymond Terrace
 - Gosford / Wyong / Woy Woy
 - Parramatta / Ryde
 - Bankstown / Sutherland / Kogarah
 - Lismore / Ballina / Casino / Kyogle
 - Coffs Harbour / Grafton / Bellingen / Macksville / Maclean
 - Downing Centre / Central / Waverley

Additional Courts may be added from time to time.

- (b) The program provides for the referral of offenders who have pleaded guilty or have been found guilty of offences and for whom there is a likelihood of a custodial sentence, to be referred to a forum. At the forum the offender and the victim or victims of the offence are brought together with a forum facilitator in order to develop an intervention plan for the offender.
- (c) The eligibility criteria along with the aims of the program are set out in Part 7 of the Criminal Procedure Regulation 2010.

13.2 Referrals to forum sentencing

- (a) The Court may make referrals either on application by the offender or their representative, by a prosecutor, or on its own motion.
- (b) If eligible to participate, Court proceedings are to be adjourned for up to 2 weeks for the Forum Sentencing Administrator (the 'Administrator') to assess the offender's suitability.
- (c) During the adjournment for the suitability assessment, the Administrator will contact the victim/s to ascertain whether they wish to participate in a forum.
- (d) The Registrar is to provide the Administrator with a statement of facts as approved by the Court and a copy of the offender's criminal history.

13.3 Forum Participation Order

- (a) If assessed suitable, the Magistrate will consider placement of the offender into the programme by making a Forum Participation Order. Both the offender and the prosecutor may be heard. If not considered suitable, the matter will proceed through the ordinary court process.
- (b) The Court will adjourn the matter for no longer than 8 weeks.
- (c) The Court may order a pre-sentence report (if required). Subject to the consent of the offender, information obtained by Probation and Parole should be made available to the Forum facilitator.

13.4 Intervention Plans

- (a) The content of an Intervention Plan and participation at the Forum is a matter solely within the discretion of the Administrator and Forum facilitator. It may include attendances at the Forum, details of agreement reached at the Forum, and whether that agreement requires any further action on behalf of the offender that would require supervision by either the Administrator or Probation and Parole. It may also include a recommendation to the Court for an intervention order sentence or further matters to be considered, such as individual and group counselling, treatment programs or psychiatric treatment.
- (b) The Court may refer the Intervention Plan back to the Administrator for amendment. Amendments must be approved by the victim/s and offender or they will not be made. If so approved, the Administrator shall revise the agreement and report back to the Court within seven days.
- (c) No more than one referral to revise the intervention plan is permitted. If the plan is not approved and a revised plan is not approved, sentencing will proceed in the ordinary manner.

13.5 On the adjournment date

- (a) On the adjournment date, the Court is to receive a Forum Report and the draft Intervention Plan. The Forum Report sets out any recommendations not included in the draft Intervention Plan, including any recommendation to the Court that a compensation order be made and/or details of financial reparations or a donation that the offender has agreed to make.
- (b) If the Court is satisfied with the draft intervention plan, the Court may make an order approving the plan. Following approval of the intervention plan the Court may exercise the following options:
 - (i) Make a further order adjourning the proceedings pursuant to s 36A of the *Bail Act* 1978, or s 11(1)(b2) of the *Crimes (Sentencing Procedure) Act* 1999 ('CSP Act'); or

- (ii) Proceed to sentence pursuant to ss 9, 10, or 12 of the CSP Act. Section 95A of the CSP Act may apply to sentences imposed under these provisions.
- (c) If the Court proceeds to sentence in accordance with paragraph 13.5(b)(ii) and imposes a good behaviour bond, any provision in a draft Intervention Plan or recommendation in the Forum Report for the making of financial reparations or a donation by the offender is not to be included as a condition of the good behaviour bond.
- (d) The Court may make a compensation order in accordance with any recommendations contained in the Forum Report.
- (e) Successful completion of the forum sentencing program is a matter that may be taken into account by the Court upon sentence.
- (f) Where the Court makes an order in which an approved Intervention Plan is part of the sentence, the Court will specify who is to supervise the Intervention Plan and any other part of the order, and set time limits within which parts of the Intervention Plan are to be completed. If required, an order of the Court can be supervised by the Administrator, Probation and Parole, or both.

13.6 After sentencing

- (a) The Court is to be advised by the supervising party whether or not the plan is satisfactorily completed.
- (b) In the event the Court is advised that the plan has not been satisfactorily completed, the Court may:
 - (i) Take no action;
 - (ii) Issue a notice of call up; or
 - (iii) Issue a warrant.
- (c) If the intervention plan is part of a sentence supervised only by Probation and Parole, breach action by Probation and Parole will be dealt with in the usual way.

Judge Graeme Henson
Chief Magistrate

Attachment A

NOTICE OF APPEARANCE IN SUMMARY CRIMINAL TRIALS

In the Local Court at:

I advise I appear on behalf of (name)

In the matter of Police v

Police "H" Number reference

Listed on

NAME of Legal Representative

FIRM OF SOLICITORS

.....

.....

Telephone Fax Number

Email

SERVICE OF BRIEF DIRECTIONS

I hereby consent that the written statements and copies of proposed exhibits be served on the defendant in the above case by:

MARK BOX

- 1) Facsimile transmission to the legal representative to the above fax number; or
- 2) Emailing it to the legal representative to the above email address; or
- 2) Posting it to the legal representative to the above postal address; or
- 3) Leaving it at the address of the legal representative at the above address.

.....
(Signature of Legal Representative)

Attachment B

LOCAL COURT LISTING ADVICE

(IMPORTANT – Where the defendant is represented by a barrister or solicitor a completed and signed copy of this document must be given to the Court and the prosecutor on the return date)

CASE:	POLICE v			
CHARGE/SUMMONS REFERENCE NUMBER:				
FOR MENTION:	LOCAL COURT / /			
PNG:	CONFIRMED	WITHDRAWN		
STATEMENT IN POLICE BRIEF	WITNESS REQUIRED FOR CROSS-EXAMINATION		IF WITNESS NOT REQUIRED FOR CROSS EXAMINATION IS THE TENDER OF THE STATEMENT CONSENTED TO	
1.	YES	NO	YES	NO
2.	YES	NO	YES	NO
3.	YES	NO	YES	NO
4.	YES	NO	YES	NO
5.	YES	NO	YES	NO
6.	YES	NO	YES	NO
7.	YES	NO	YES	NO
8.	YES	NO	YES	NO
9.	YES	NO	YES	NO
10.	YES	NO	YES	NO
11.	YES	NO	YES	NO
12.	YES	NO	YES	NO
13.	YES	NO	YES	NO
14.	YES	NO	YES	NO
15.	YES	NO	YES	NO
ESTIMATED DURATION OF HEARING	HOURS			
NUMBER OF DEFENCE WITNESSES				
IS AN INTERPRETER REQUIRED?	YES		NO	
WHAT LANGUAGE?				
IS CCTV COURT REQUIRED?	YES		NO	
NOTICE, s19E CRIMINAL PROCEDURES REGULATIONS 2005	YES		NO	
DEFENDANT'S SOLICITOR / COUNSEL SIGNATURE AND NAME				
CONTACT PHONE NUMBER				

Attachment C



**Form 1 –
APPLICATION TO VACATE A HEARING DATE**

PARTS A & B MUST BE COMPLETED IN FULL PRIOR TO THE APPLICATION BEING LODGED IN PERSON BY THE APPLICANT OR THE APPLICANT'S REPRESENTATIVE

Note: This application will be dealt with in Chambers unless there is good reason for it to be listed before a Court. This application, together with all relevant information should be submitted in writing not less than **21 days** before the hearing date **OR**, in the case of urgent circumstances arising after that time, as soon as practicable before the date of hearing.

You will be advised of the outcome of the application and the date on which it is next listed (where applicable).

You must lodge all relevant supporting documentation with this application.

PART A (Applicant to complete)

Name of the matter:.....

Date listed for hearing..... Time estimate.....

Place listed for hearing..... Local Court

Offence(s).....

Application lodged on behalf of the.....(Prosecution/defence)

Name of applicant: Signature:

(Informant/Defendant/Representative) Address:

Date:...../...../..... Phone: Fax:

I apply to vacate the hearing date for the following reasons:

(Please provide as much information as possible in support of the application - attach additional pages if more space required)

.....

.....

.....

.....

.....

.....

If the application has arisen because of the non-availability of any relevant person in the matter, including witnesses, legal representatives or a defendant you must provide answers to the following questions:

- 1. When was this person first notified of the hearing date?.....(date)

- 1. Was the event which has caused this person to be unavailable arranged before or after the person became aware of the hearing date?
.....

- 3. If before, why was the court advised that this date was a suitable date for hearing?
.....
.....

- 4. If after, why did this person arrange another commitment for the day of hearing?
.....
.....

- 5. Why is it essential for this person to be present at the hearing?
.....

Contact address (include telephone number/e-mail)

Applicant.....	Respondent.....
.....
.....

PART B (Other party to complete - a faxed copy is sufficient)

(Note: Adjournments will not be granted simply because both parties consent to an adjournment)

I agree with this application. I have notified the applicant of my unavailable dates

I do not agree to this application because:

.....
.....

I do/do not wish to be present if the application is heard in court

Name of other party:

(Informant/Defendant/Representative) Signed:

(Delete where not applicable) Address:

Date: Phone: Fax:

PART C (Court/office use only)

APPLICATION:

GRANTED - NEW HEARING DATE IS.....

REFUSED - WILL BE HEARD IN COURT (NO:) ON...../...../.....

.....

Magistrate

Date:..../..../....

- COPY TO:
- 1. List Office/Registry
 - 2. Police Prosecutors
 - 3. Other (specify)

Attachment D

AVL Facilities**Courts without AVL facilities - locations for adjournment**

Original Court	AVL Court	Original Court	AVL Court	Original Court	AVL Court
Albion Park	Wollongong	Gulgong	Bathurst	Narrabri	Tamworth
Ballina	Grafton	Gundagai	Goulburn	Narrandera	Wagga Wagga
Balmain	Burwood	Gunnedah	Tamworth	Narromine	Dubbo
Balranald	Broken Hill	Hay	Griffith	Newtown	Burwood
Bega	Bateman's Bay	Hillston	Griffith	North Sydney	Downing Centre
Bellingen	Coffs Harbour	Holbrook	Albury	Nyngan	Dubbo
Belmont	Newcastle	Hornsby	Parramatta	Oberon	Bathurst
Blayney	Bathurst	Inverell	Moree	Parkes	Orange
Boggabilla	Moree	Junee	Wagga Wagga	Peak Hill	Dubbo
Bombala	Goulburn	Katoomba	Bathurst	Picton	Campbelltown
Brewarrina	Bourke	Kempsey	Port Macquarie	Port Kembla	Wollongong
Byron Bay	Byron Bay	Kiama	Wollongong	Queanbeyan	Goulburn
Camden	Campbelltown	Kogarah	Burwood	Quirindi	Tamworth
Casino	Lismore	Kurri Kurri	Maitland	Raymond Terrace	Cessnock
Cobar	Dubbo	Kyogle	Lismore	Ryde	Burwood
Condoblin	Dubbo	Lake Cargelligo	Dubbo	Rylstone	Bathurst
Cooma	Goulburn	Leeton	Griffith	Scone	Taree
Coonabarabran	Tamworth	Lightning Ridge	Walgett	Singleton	Cessnock
Coonamble	Tamworth	Lithgow	Bathurst	Temora	Wagga Wagga
Cootamundra	Wagga Wagga	Lockhart	Wagga Wagga	Tenterfield	Armidale
Corowa	Albury	Macksville	Coffs Harbour	Toronto	Newcastle
Cowra	Griffith	Macleay	Grafton	Tumbarumba	Albury
Crookwell	Goulburn	Manly	Central	Tumut	Wagga Wagga
Deniliquin	Albury/Griffith	Milton	Nowra	Walcha	Armidale
Dunedoo	Bathurst	Moama	Albury/Griffith	Warialda	Moree
Dungog	Cessnock	Moruya	Bateman's Bay	Warren	Dubbo
Eden	Bateman's Bay	Moss Vale	Goulburn	Wauchope	Port Macquarie
Fairfield	Bankstown	Moulamein	Broken Hill	Waverley	Downing Centre
Finley	Albury	Mudgee	Bathurst	Wee Waa	Tamworth
Forbes	Orange	Mullumbimby	Tweed Heads	Wellington	Dubbo
Forster	Taree	Mungindi	Moree	West Wyalong	Griffith
Gilgandra	Dubbo	Murrurundi	Tamworth	Windsor	Penrith
Glen Innes	Armidale	Murwillumbah	Tweed Heads	Yass	Goulburn
Gloucester	Taree	Muswellbrook	Taree	Young	Wagga Wagga
Grenfell	Griffith	Narooma	Bateman's Bay		

Courts with AVL facilities***Metropolitan***

- Bankstown
- Blacktown
- Burwood
- Central
- Downing Centre
- Liverpool
- Mount Druitt
- Parramatta
- Penrith
- Sutherland

Regional

- Albury
- Armidale
- Bateman's Bay
- Bathurst
- Bourke
- Goulburn
- Grafton
- Griffith
- Lismore
- Maitland
- Moree
- Newcastle
- Nowra
- Orange
- Port Macquarie
- Tamworth
- Taree
- Tweed Heads
- Wagga Wagga
- Walgett
- Wentworth
- Wilcannia
- Wollongong
- Woy Woy
- Wyong



LOCAL COURT PRACTICE NOTE COMM 1

ISSUED: 24 April 2012

COMMENCES: 1 May 2012

Procedures to be adopted for committal hearings in the Local Court

1. Application

- 1.1. This Practice Note commences on 1 May 2012 and applies to all committal proceedings before the Local Court on and from that date.
- 1.2. This Practice Note supersedes the following Practice Notes, which are repealed on the commencement of this Practice Note:
 - Practice Note 1 of 2010
 - Practice Note 7 of 2003
 - Practice Note 9 of 2003
 - Practice Note 1 of 2007
- 1.3. This Practice Note does not apply to offences in the Children's Court.

2. Definitions

- 2.1. In this Practice Note:

“committal proceedings” means committal proceedings conducted pursuant to Part 2 of Chapter 3 of the CPA in relation to a strictly indictable offence or Table offence in respect of which an election has been made to proceed on indictment

“CPA” means the *Criminal Procedure Act 1986*

“Table offence” means an offence listed in Table 1 or Table 2 of Schedule 1 of the CPA

3. Purpose

- 3.1. The procedures outlined in this Practice Note are intended as best practice to ensure that:
- The legislative purpose set out in s 260 CPA is applied;
 - Time Standards for cases committed for trial or sentence to the Supreme or District Court are as far as possible complied with; and
 - The utilisation of Audio Visual Link (AVL) technology is conducted in the most efficient manner.
- 3.2. An overview of the procedures outlined in this Practice Note is set out at Attachment A.

4. Election in Table matters

- 4.1. A brief of evidence will not be ordered in a Table matter unless the Court is informed that a plea of not guilty is entered.
- 4.2. A Table matter will proceed summarily pursuant to Chapter 5 of Practice Note Crim 1 unless an election is made to proceed on indictment in accordance with section 260 of the CPA within the timeframes set out in paragraph 4.3.
- 4.3. Pursuant to section 263(1) of the CPA, an election must be made on or by the first return date after an order is made for service of the brief of evidence.
- 4.4. Where a plea of guilty is entered at the first mention, the prosecution is entitled to an adjournment for 2 weeks to consider whether or not an election is to be made and facts are not to be tendered.
- 4.5. Committal proceedings are to proceed in accordance with the following timetable unless the Court is satisfied that departure from the timetable is in the interests of justice.

5. First mention – Strictly indictable matters

- 5.1. At the first mention, unless a plea of guilty is entered, orders will be made for:
- (a) The service of the brief in 6 weeks; and
 - (b) Further mention for reply to the brief in 8 weeks.

6. Second mention

- 6.1. At the second mention, unless a plea of guilty is entered or there is a waiver of committal, the matter may be adjourned for not more than 6 weeks to allow for any negotiations between the parties to be conducted

7. Third mention

- 7.1. At the third mention, unless there is a plea of guilty or the matter proceeds by waiver of committal or paper committal, the matter is to be adjourned with orders made for:
- (a) The filing and service of written submissions by the accused in support of an application under s 91 CPA or s 93 CPA in 2 weeks, and
 - (b) Further mention for reply in 4 weeks.

8. Fourth mention

- 8.1. At the fourth mention, a failure to file and serve s 91/93 submissions in accordance with the timetable set out in paragraph 7.1 will result in a presumption that the application is abandoned.
- 8.2. Unless there is a plea of guilty or the matter proceeds by waiver of committal or paper committal, the matter will be listed at the first available opportunity for:
- (a) The hearing of any contested s 91 or s 93 application; or
 - (b) A committal hearing (if there is agreement under s 91/93).

9. Adjournments

- 9.1. Adjournments or other variations to the above timetable will not be granted apart from in accordance with paragraph 4.5.
- 9.2. Subject to paragraph 4.5, failure to finalise a brief in accordance with the above timetable will not, of itself, provide the basis for an adjournment for further time for service of the brief.
- 9.3. In the event the Court is informed of a failure to finalise a brief in accordance with the above timetable due to delays in forensic analysis of material, the Court will consider whether to grant an adjournment only if:
- (a) The party seeking the forensic analysis informs the Court of the date the material was sent for forensic analysis, and
 - (b) The Court is satisfied the results of the forensic analysis are likely to assist in the determination of the committal proceedings.

10. Attendance of accused

- 10.1. Unless excused by the Court, the accused must appear, either in person or via AVL in accordance with paragraph 10.2, on each court date. An accused cannot be excused for the purpose of the next appearance unless legally represented.
- 10.2. Subject to paragraph 10.1, an accused in custody must appear via AVL on each court date except for the first mention (or any other occasion that is not a physical appearance proceeding within the meaning of the *Evidence (Audio and Audio Visual Links) Act 1998*) unless the Court directs otherwise. This includes a court date upon which:
- (a) There is to be a waiver of committal;
 - (b) The matter is to proceed by way of paper committal;
 - (c) A committal hearing is listed; or
 - (d) The accused is to be committed for sentence.

11. Committals for trial involving co-defendants

- 11.1. Co-defendants should be committed for trial together so as to avoid unnecessary separate trials unless the Court considers it is in the interests of justice not to do so.
- 11.2. If a defendant seeks a paper committal and a co-defendant makes an application under s 91 CPA, the proceedings involving the defendant are to be adjourned to the same time as the proceedings involving the co-defendant. The hearing of the s 91 application should be expedited so as to not unduly delay the defendant's opportunity for an early trial, particularly where the defendant is in custody.
- 11.3. It is the responsibility of the prosecution to advise the Court of matters involving co-defendants if the matters are not listed at the same time.

12. Listing of committal proceedings for hearing in the Local Court

- 12.1. Subject to the interests of justice, committal proceedings are to be completed as expeditiously as possible to enable the transfer, if appropriate, of matters to either the Supreme Court or District Court.
- 12.2. If the matter is not finalised on the afternoon of the last day allocated for hearing, it will proceed on the next sitting day of the Court until completed. All committal hearings listed for hearing within the metropolitan area are listed on this basis.

Judge Graeme Henson
Chief Magistrate

Attachment A

Criminal Case Processing

Process of Matters through the Local Court

First Appearance

Table matters

- Matter to proceed summarily in accordance with Chapter 5 of PN Crim 1 unless election made: at first appearance, where plea of not guilty entered, matter adjourned for **4 weeks** for service of brief and **2 weeks** for reply
- Election must be made by first return date after orders for service of brief

Strictly Indictable matters or Table matters where election made at or by first appearance

- At first appearance unless plea of guilty entered: brief service orders made
- Matter adjourned for **6 weeks** for service of brief and **2 weeks** for reply

Second Appearance

- Matter adjourned for **6 weeks** for any negotiations between the parties

Third Appearance

- Matter proceeds by waiver of committal

-or-

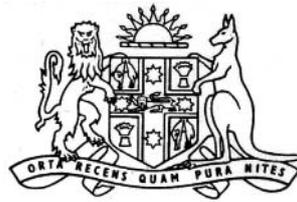
- Matter adjourned with orders made for:
 - The filing and service of s 91/93 submissions by the accused in **2 weeks**
 - Further mention for reply in **4 weeks**

Fourth Appearance

- Matter proceeds by waiver of committal

-or-

- Matter listed at first available opportunity for
 - Hearing of contested s 91/93 application; or
 - Committal hearing (if there is agreement under s 91/93).



LOCAL COURT PRACTICE NOTE No. 2 OF 2012

ISSUED: 24 April 2012

COMMENCES: 1 May 2012

Domestic and Personal Violence Proceedings

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Part 1 Commencement and Application of Practice Note

- 1.1 This Practice Note commences on 1 May 2012.
- 1.2 This Practice Note applies to application proceedings pursuant to the *Crimes (Domestic and Personal Violence) Act 2007* ('the Act') in the Local Court and is intended to reflect the legislative objective set out in sections 9 and 10 of the Act.

Part 2 Definitions

- 2.1 In this Practice Note:

'**AVO**' means an apprehended violence order within the meaning of the Act.

'**ADVO**' means an apprehended domestic violence order within the meaning of the Act.

'**APVO**' means an apprehended personal violence order within the meaning of the Act.

'**business day**' means a day that is not on a weekend or gazetted as a public holiday in the State of New South Wales.

'**written statement**' means a written statement prepared in accordance with the form and requirements, and with the evidentiary effect, set out in Division 3 of Part 2 of Chapter 3 of the 1986 Act.

'**1986 Act**' means the *Criminal Procedure Act 1986*.

Part 3 Purpose

- 3.1 This Practice Note is issued for the purpose of providing for a range of procedural measures in application proceedings under the Act.
- 3.2 The object of this Practice Note is to promote consistency and efficiency in the determination of application proceedings and procedural fairness to all parties, having regard to the objects of the Act, and to facilitate the "just, quick and cheap" resolution of proceedings in accordance with the overriding purpose set out in s 56 of the *Civil Procedure Act 2005*.
- 3.3 This Practice Note is to be read in conjunction with Chapter 10 of Practice Note Crim 1.

Part 4 Orders sought in the absence of a defendant

- 4.1 This Part applies in respect of application proceedings conducted in the absence of the defendant.
- 4.2 Subject to section 75 of the Act:
 - (a) Where, in the course of proceedings, the applicant seeks any additional or alternative orders to those specified in an original application and/or any provisional or interim order, and
 - (b) The additional or alternative orders being sought would, if made, have the effect of increasing or varying (except for lessening) the restrictions imposed upon the defendant,

the applicant must file and serve upon the defendant an amended application specifying the orders sought unless the Court is satisfied it is in the interests of justice not to do so.

- 4.3 A person serving an amended application must complete a statement of service in accordance with rule 5.12 of the Local Court Rules 2009.
- 4.4 Before making an order that will have the effect described in paragraph 4.2, the Court must be satisfied that service of the amended application has been effected upon the defendant.

Part 5 Procedure at interim hearing

- 5.1 The object of this Part is to establish a consistent approach to the manner in which evidence is received at interim hearings. Subject to section 22 of the Act, an interim order may be made by the Court where:
- (a) The person for whose protection an order is sought is present and gives evidence orally or by written statement or by a combination of both; or
 - (b) The person for whose protection an order is sought is absent but a written statement of the person is tendered on his or her behalf by a person authorised to tender such a statement.
- 5.2 Subject to this Part, the procedure to be followed at a hearing where an interim apprehended violence order is sought ('interim hearing') will be determined by the Court.
- 5.3 Nothing in this Part removes the requirement that the Court be satisfied of the matters set out in section 17 (in the case of an interim ADVO) or section 20 (in the case of an interim APVO) of the Act prior to making an interim order.
- 5.4 The Court may make an order determining the amount of time that may be taken by each party in the examination, cross-examination or re-examination of a witness who is giving evidence orally at an interim hearing.
- 5.5 An interim order may not be made unless the person for whose protection an order is sought is present at an interim hearing, unless the Court is satisfied that the person is unable for good reason to be present and the matter requires urgent consideration by the Court.

A Where application brought by police officer and protected person and defendant both absent

- 5.6 When determining an application for an interim order made by a police officer in the absence of the defendant and the person for whose protection an order is sought, the Court may consider (in addition to the material set out in section 22(4) of the Act):
- (a) The grounds set out in an application for an order, including a provisional order granted by an authorised justice; and/or
 - (b) A written statement taken by a police officer from the person for whose protection an order is sought.

B Where defendant and protected person both present and application contested

- 5.7 At an interim hearing at which the defendant and the person for whose protection an order is sought are present and the application is contested, unless the Court orders otherwise, an application for an interim apprehended violence order is to be heard and determined on the basis of any one or more of the following:
- (a) The written grounds supporting the application;

- (b) A written statement from any witness intended to be called at the interim hearing;
 - (c) Evidence given orally (including in cross-examination) at the interim hearing;
 - (d) Any submissions made by the parties or their legal representatives.
- 5.8 Unless the Court orders otherwise, the evidence in chief and cross-examination of a witness at an interim hearing is:
- (a) Limited to establishing whether or not it is necessary or appropriate for the Court to make an interim order, and
 - (b) Not to be directed to establishing whether the making of a final order is warranted.

Part 6 Use of written statements at hearings

- 6.1 In this Part, **'hearing'** means a contested hearing at which an application under the Act is heard and determined, but does not include:
- (a) an interim hearing; or
 - (b) the hearing of an application under the Act where concurrent criminal proceedings are in progress against the defendant for an alleged offence arising out of the same facts or circumstances that give rise to the application.
- 6.2 Unless the Court orders otherwise, a witness' evidence in chief at a hearing must be given by written statement in accordance with paragraph 6.3.
- 6.3 Subject to paragraphs 6.2 and 6.4, the Court shall direct a party to serve on each other party a written statement of the oral evidence that the party intends to adduce in chief on any question of fact to be decided at a hearing. Unless the Court orders otherwise, directions for the listing of the matter for hearing shall be made in the form set out at Attachment A.
- 6.4 Where a police officer is to be called as a witness, the written statement of the officer is not required to be served until the day of the hearing.
- 6.5 Each written statement must be signed by the intended witness unless the signature of the witness cannot be procured or the Court orders otherwise.
- 6.6 If the party serving the written statement calls as a witness at the hearing any person whose written statement has been served in accordance with paragraph 6.3 or 6.4:
- (a) That person's written statement is to stand as the whole of his or her evidence in chief, so long as the person testifies to the truth of the written statement, and
 - (b) Except by leave of the court, the party may not adduce from that person any further evidence in chief.
- 6.7 Nothing in this Part operates to make admissible any evidence that is otherwise inadmissible or privileged.
- 6.8 The Court may, if satisfied it is in the interests of justice to do so, dispense with compliance with any or all of this Part.

Part 7 Procedure at final hearing – where no consent to the order and s 39 does not apply

7.1 Subject to this Part, the procedure to be followed at a contested hearing where a final AVO is sought and section 39 of the Act does not apply ('final hearing') will otherwise be determined by the Court.

A Where defendant present

7.2 Unless the Court orders otherwise pursuant to paragraph 7.3 or 7.4, an application for a final AVO is to be heard and determined on the basis of:

- (a) The written grounds supporting the application;
- (b) Evidence in chief given by way of written statements that have been served in accordance with any case management orders:
 - (i) By, or if a person is someone to whom section 16(2) or section 19(2) of the Act applies, on behalf of, the person for whose protection an order is sought,
 - (ii) If the application is brought by a police officer, that or another officer;
 - (iii) Of the defendant, and
 - (iv) Of any other witnesses,
- (c) Subject to leave being granted by the Court, any additional evidence of a matter or thing occurring or becoming known to the witness after the making of a written statement;
- (d) Any cross-examination evidence or re-examination evidence given orally by a witness at the final hearing; and
- (e) Any submissions made by the parties or their legal representatives at the final hearing.

7.3 The Court may order that any or all of a witness' evidence be given orally.

7.4 Where the witness is a vulnerable person within the meaning of section 306M of the 1986 Act, evidence in chief of a previous representation may be given by way of a recording, in accordance with Division 3 of Part 6 of Chapter 6 of the 1986 Act.

7.5 The Court may, at any time before or during a final hearing, make an order determining the amount of time that may be taken by each party in the examination, cross-examination or re-examination of a witness who is giving evidence orally.

7.6 Written statements of or on behalf of the person for whose protection an order is sought must, to the fullest extent practicable, address all matters required to be considered by the Court in deciding whether or not to make:

- (a) A final ADVO, pursuant to sections 16 and 17 of the Act, or
- (b) A final APVO, pursuant to section 20 of the Act.

B Where defendant absent

7.7 Proceedings for a final order may be heard and determined by the Court even if the defendant is absent.

7.8 The Court must be satisfied of the matters set out in:

- (a) Sections 16 and 17 of the Act, in the case of a final ADVO, or
- (b) Section 20 of the Act, in the case of a final APVO.

Part 8 Procedures for protection of children

8.1 In proceedings under the Act where:

- (a) A child is required to give evidence pursuant to section 41 of the Act, and
- (b) The defendant is not represented by an Australian legal practitioner,

then in addition to any measures for the protection of children specified in the Act, the following procedure shall apply at a hearing of an application:

- (c) A child is not to be examined in chief, cross-examined or re-examined by the defendant, but may be so examined instead by a person appointed by the Court who is an Australian legal practitioner.
- (d) The person appointed by the Court is to ask the child only the questions that the defendant requests that person to put to the child.
- (e) An appointed person must not independently give the defendant legal or other advice.

8.2 Paragraph 8.1 applies whether or not closed-circuit television facilities or other similar technology (or alternative arrangements) are used by the child to give evidence.

8.3 In accordance with section 42, in application proceedings under the Act where any child may be directly or indirectly affected by the making or variation of an AVO:

- (a) A person who applies for an order is under a duty to inform the Court of any relevant parenting order (within the meaning of section 42 of the Act) or pending application for a relevant parenting order, and
- (b) Prior to making or varying an AVO, the Court shall remind of the person of the duty set out in paragraph 8.3(a) and have regard to the matters set out in section 42(2) and (3) of the Act.

Part 9 Applications for variation or revocation of orders where contested

9.1 Subject to section 73(3) of the Act, unless the Court orders otherwise pursuant to paragraph 9.2 an application for variation or revocation of orders which is contested is to be heard and determined on the basis of:

- (a) Evidence in chief given by way of written statements:
 - (i) Of the protected person,
 - (ii) Of the defendant, and
 - (iii) Of any other witnesses,

that have been served in accordance with any case management orders;

- (b) Subject to leave being granted by the Court, evidence in chief given orally by a witness at the final hearing that relates to a matter or thing occurring or becoming known to the witness after the making of a written statement,
- (c) Any cross-examination evidence or re-examination evidence given orally by a witness at the hearing, and
- (d) Any submissions made by the parties or their legal representatives at the hearing.

9.2 The Court may order that any or all of a witness' evidence be given orally.

Part 10 Applications for revocation of expired AVO

Where an application is made to revoke an expired AVO:

- (a) In addition to the requirements of section 72(8) of the Act, the Court requires a copy of the application setting out the grounds relied to be served on the protected person and the Commissioner of Police; and
- (b) Part 12 applies as if the AVO was still in force.

Part 11 Applications for annulment of orders

For the purposes of section 6(1) of the *Crimes (Appeal and Review) Act 2001*, the Court requires the following "interested parties" to be informed of an application for annulment of an AVO:

- (a) Where the application is made by a defendant:
 - (i) The protected person, and
 - (ii) If the application for an AVO was brought by a police officer, the officer in charge of the police station from which the application was made.
- (b) Where the application is made by a protected person:
 - (i) The defendant; and
 - (ii) If the application for an AVO was brought by a police officer, the officer in charge of the police station from which the application was made.

Part 12 Service

The following requirements apply where an AVO is in force and a document is required to be served on the protected person under the Act or this Practice Note:

- (a) Where an order prohibits a defendant from directly contacting or approaching and/or locating or attempting to locate the protected person, the defendant:
 - (i) Must not in person serve or attempt to serve the document on the protected person;
 - (ii) May, if the protected person is represented by an Australian legal practitioner, effect service through the protected person's legal practitioner;

- (iii) May, if the application for an AVO was brought by a police officer, serve the document upon the officer at the police station at which the officer is stationed;
 - (iv) May, if not represented by an Australian legal practitioner and if the application for an AVO was not brought by a police officer, request that a Registrar of the Court serve the document on the protected person;
 - (v) May effect service in such other manner as directed by the Court.
- (b) Where a document is served on a police officer in accordance with paragraph 12(a)(iii), the police officer must, as soon as is practicable after being served with a document, cause a copy of the document to be provided to the protected person.
 - (c) Where a request to serve a document is made to a Registrar in accordance with paragraph 12(a)(iv), the Registrar is to serve the document by sending it by ordinary post to the address of the protected person as noted in the records of the Court.
 - (d) Where a Registrar serves a document in accordance with paragraph 12(c), the document is taken to have been served at the end of the fourth business day following the date on which the document was posted, unless the contrary is proved.

Judge Graeme Henson
Chief Magistrate

Attachment A

Local Court
of New South Wales

Directions for Listing an AVO Proceeding for Hearing

(Practice Note 2 of 2012)

CASE No.: _____

DIRECTIONS

Applicant's evidence

1. (for *Police Applicants*) The Police are to file two copies of the brief of evidence (other than a written statement of a police officer) with the court registry at _____ no later than ____/____/____. (maximum 2 weeks)

OR:

- (for *Private Applicants*) The Applicant is to file two copies of:

- the Applicant's own written statement, and
- any written statement/s of witness/es from whom the Applicant intends to call evidence at hearing with the court registry at _____ no later than ____/____/____. (maximum 2 weeks)

2. (For all Applicants) The Defendant is to collect one copy of the statements filed by the Applicant from the Registry at _____ any time after the date of filing.

Defendant's evidence

3. The Defendant is to file two copies of:
- the Defendant's own written statement, and
 - any written statement/s of witness/es from whom the Defendant intends to call evidence at hearing with the court registry at _____ no later than ____/____/____. (normally 2 weeks from date in direction 1 above)
4. The Applicant is to collect one copy of the statements filed by the Defendant from the court registry at _____ any time after the date of filing.

Mention

5. Subject to direction 6b, the matter is listed for mention only to check that all statements have been filed. The mention date is ____/____/____. (normally one week from date in direction 3 above)
6. Subject to the interests of justice, on the mention date:
- a. If the Applicant has failed to comply with these directions the application may be struck out or the Court may order the filing of the outstanding statements.
 - b. If the Defendant has failed to comply with these directions the matter will proceed on the evidence filed by the Applicant alone on the mention day.
 - c. If neither party has complied with these directions the application will be dismissed.
 - d. The Applicant must attend otherwise the application may be dismissed.
 - e. The Defendant must attend otherwise an order may be made against him/her.
 - f. If both parties have complied with these directions the matter will be listed for hearing.

Signature of Magistrate/Registrar (*select*):

Date:

MOTOR ACCIDENTS COMPENSATION ACT 1999

Section 74

Approved Forms – Notices of Claim

MOTOR ACCIDENT PERSONAL INJURY CLAIM FORM

**MOTOR ACCIDENTS
AUTHORITY**

THIS CLAIM FORM IS APPROVED BY THE MOTOR ACCIDENTS AUTHORITY OF NSW. IT IS TO BE USED FOR CLAIMS MADE UNDER THE MOTOR ACCIDENTS COMPENSATION ACT 1999 FOR ACCIDENTS ON OR AFTER 1 OCTOBER 2008

Who Can Make a Claim

If you were injured in a motor vehicle accident in NSW, there are a number of circumstances under which you may be eligible to make a claim for personal injury compensation.

1. Other driver or owner of vehicle at fault

Whether you were a driver, passenger, pedestrian, cyclist, motorbike rider or pillion passenger you can make a claim for personal injury compensation if you can demonstrate a driver or owner of a motor vehicle, other than you, was partially or completely at fault. If you were partly at fault, (e.g. not wearing a seatbelt) you may still be able to make a claim.

2. Special benefit for children in accidents from 1 October 2006

You may make a claim for the children's special benefit even if the accident was not caused by the fault of an owner or driver of a motor vehicle (i.e. the accident was caused by the child), provided that:

- the accident happened on or after 1 October 2006
- you were under 16 years at the time of the accident
- you lived in NSW at the time of the accident.

Please refer to the Important note for injured children on page 6 for more information.

3. Blameless accidents from 1 October 2007

If you are injured in an accident on or after 1 October 2007, you may be able to make a claim for personal injury compensation even if the accident was a blameless motor accident. A blameless accident is a motor accident in which the driver or owner of a motor vehicle was not at fault. Examples of blameless motor accidents could include accidents resulting from the sudden illness of a driver, such as a heart attack or stroke or vehicle failure, such as a tyre blow-out.

You can make a claim if you were a passenger, pedestrian, cyclist, pillion passenger, driver or motorcycle rider. However, special rules apply to drivers and motorcycle riders in blameless accidents. You may not be entitled to make a claim if you were injured in a single vehicle accident or if you were driving or riding the vehicle that caused the accident (i.e. you were the driver that suffered a medical condition which resulted in the motor accident).

For more information about the special rules that apply to drivers and motorcycle riders in blameless accidents, contact the Claims Advisory Service on 1300 656 919.

If you have already completed an Accident Notification Form (ANF) you will still need to complete the Motor Accident Personal Injury Claim Form if you want to make a claim for treatment expenses and/or lost earnings in excess of \$5,000 or claim for other types of compensation.

Where To Send The Claim Form

You must send the completed claim form to the green slip or Compulsory Third Party (CTP) insurer of the motor vehicle you consider caused the accident. If you are unsure of where to send your claim form contact the MAA's Claims Advisory Service on 1300 656 919.

The claim form must be sent to the CTP insurer as soon as possible but no later than six months from the date of the accident. You can still make a claim more than six months after the accident. However, your claim could be rejected if the insurer receives your claim more than six months after the accident and you cannot give a satisfactory reason for the delay.

Need More Information?

- Contact the Claims Advisory Service on 1300 656 919, or
- Visit the Motor Accidents Authority's (MAA) website at www.maa.nsw.gov.au.

ABOUT THE INFORMATION IN THIS FORM

The information in this form is required by law

The information in this form is required by laws covering motor accidents compensation. Failure to provide the required information may result in delays in processing your claim or it being rejected.

The information in this form is used by insurers to help determine liability for your claim and your compensation entitlements. It is important that you answer the questions fully. For example, you should list all injuries that were caused in the accident.

Your information is confidential

The information in this form will be treated confidentially. Only staff of the Motor Accidents Authority (MAA), CTP insurers and other approved bodies with proper legal authority are allowed to access your information and are restricted in how they use the information. You have the right to access and correct information about you held by the MAA or CTP insurers if you consider:

- that your personal information has been handled incorrectly by the MAA, you can ask the authority to undertake an internal review or you may contact Privacy NSW.
- an insurer has handled your information incorrectly, you may contact the relevant insurer for an internal review or the Office of the Federal Privacy Commissioner.

CTP insurers are bound by national privacy principles. You may visit the licensed insurers' websites or contact them directly to request information on how to access your personal information, seek an internal review or determine with whom they share the information.

The information you provide must be truthful

You must answer the questions fully and truthfully. Information that is knowingly false or misleading may result in a fine of up to \$5,500 or imprisonment for up to 12 months or both.

INTERPRETER ASSISTANCE

If you need an interpreter service to help you read this form, contact:

Associated Translators & Linguists Pty Ltd

Level 5, 72 Pitt Street, Sydney, NSW 2000

P: 02 9231 3288 F: 02 9221 4763 www.atl.com.au

Office hours: 8.00 am to 5.30 pm (this interpreter service is provided free of charge to claimants).

ARABIC	.9231 3288 رقم بتليفون الإتصال بالطلب. فالرجاء لقراءة هذا المترجم لقرائة هذا المترجم
CHINESE	如您需傳譯員讀這表格請致電 9231 3288 如您需傳譯員讀這表格請致電 9231 3288
CROATIAN	AKO TREBATE PREVODITELJA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288
FARSI	اگر برای خواندن این فرم به مترجم احتیاج دارید به شماره 9231 3288 تلفن کنید.
GREEK	AN XPEIAZEΣTE ΔΙΕΡΜΗΝΕΑ ΝΑ ΣΑΣ ΔΙΑΒΑΣΕΙ ΑΥΤΟ ΤΟ ΕΝΤΥΠΟ ΤΗΛΕΦΩΝΗΣΤΕ ΣΤΟ 9231 3288.
INDONESIAN	JIKA ANDA MEMERLUKAN BANTUAN PENERJEMAH UNTUK MEMBACA FORMULIR INI, SILAHKAN MENELEPON 9231 3288.
ITALIAN	SE AVETE BISOGNO DI UN INTERPRETE PER LEGGERE QUESTO MODULO CHIAMATE IL 9231 3288.
KOREAN	이 서식을 읽기 위해 통역이 필요하시면 전화 9231 3288로 연락 주십시오.
MACEDONIAN	AKO VI TREBA TOLKUVACH DA VI GO PROČITA OVOJ FORMULAR JABETE CE HA 9231 3288.
POLISH	JEŚLI DO PRZECZYTANIA TEGO FORMULARZA POTRZEBUJE PAN(I) POMOCY TŁUMACZA, PROSZĘ ZATELEFONOWAĆ POD NUMER 9231 3288
PORTUGUESE	SE NECESSITAR QUE UM INTÉRPRETE LHE LEIA ESTE IMPRESSO TELEFONE PARA O NÚMERO 9231 3288.
SERBIAN	AKO TREBATE PREVODIOČA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288.
SPANISH	SI NECESITA QUE UN INTERPRETE LE LEA ESTE DOCUMENTO, LLAME AL: 9231 3288.
TAGALOG (FILIPINO)	KUNG KAILANGAN NINYO NG TAGASALINWIKA (INTERPRETER) SA PAGBABASA NG NAKASULAT DITO TUMAWAG SA 9231 3288
TURKISH	BU FORMU OKUMAK İÇİN TERCÜMANA İHTİYACINIZ VARSA 9231 3288. 'E TELEFON EDİNİZ.
VIETNAMESE	NẾU BẠN CẦN THÔNG DỊCH VIÊN ĐỂ ĐỌC MẪU ĐƠN NÀY HÃY GỌI ĐIỆN THOẠI SỐ 9231 3288.

If you need an interpreter to help you read this form, the declaration below must be completed by the interpreter and the injured person.

Interpreter declaration

- 1 We declare that the Motor Accident Personal Injury Claim Form has been read to the undersigned injured person by the undersigned interpreter.
- 2 We understand that the Motor Accidents Authority of New South Wales and Associated Translators & Linguists Pty Limited bear no responsibility for any loss whatsoever arising from the interpreting service provided.
- 3 We acknowledge that the interpreting service provided by Associated Translators & Linguists Pty Limited was limited to reading the claim form.
- 4 This declaration has been read to the injured person by the undersigned interpreter.

Injured person's name

Injured person's signature

Interpreter's name

Interpreter's signature

Injured person's address

Date:

 / /

MAKING A CLAIM FOR PERSONAL INJURY COMPENSATION

There are a number of steps to making a claim:

1 Report the accident to the police

You must report the accident to the police as soon as possible, and in any case, within 28 days after the accident. If you make a late report to the police and cannot give a reason, it could affect the insurer's decision about your claim. If you make a late report to the police, please attach an explanation to this claim form giving the reasons for the delay.

2 Find out the CTP insurer of the NSW motor vehicle you consider caused the accident

Contact the Claims Advisory Service on 1300 656 919 to find out the CTP insurer. You will need to give them the NSW registration number plate of the motor vehicle you consider caused the accident and the date of the accident. If the motor vehicle you consider caused the accident is:

- not a NSW registered motor vehicle, you will need to contact the relevant state or territory.
- unregistered or cannot be identified (e.g. hit and run) see step 4 below for further instructions.

3 The motor vehicle and person you consider caused the accident

You must indicate the motor vehicle and/or person you consider caused the accident (Q20). If you are having difficulty in finding out the motor vehicle registration number and/or the person you consider caused the accident contact the police.

4 The motor vehicle you consider caused the accident was uninsured or unidentified

The Nominal Defendant receives claims where the motor vehicle you consider caused the accident cannot be identified or is uninsured, and the accident occurred in NSW.

Before sending the claim you must take action to find out the registration number of the motor vehicle or the person you consider caused the accident. For example, by putting an advertisement in the newspaper or attempting to talk to witnesses.

If you cannot find out the registration number or if the motor vehicle is unregistered and not covered by CTP insurance, send your claim to the Nominal Defendant at Level 25, 580 George Street, Sydney, NSW 2000, (DX 1517 Sydney). If you need more information about the Nominal Defendant call 1300 137 131 or visit www.maa.nsw.gov.au

5 Medical certificate

Your claim may be considered incomplete and may be delayed or rejected if the medical certificate at the back of this claim form is not sent to the CTP insurer with your Personal Injury Claim Form.

6 Send the claim form and the medical certificate to the CTP insurer

You must send the completed claim form and medical certificate to the CTP insurer of the motor vehicle you consider caused the accident (see step 2 above).

The claim form and the medical certificate must be sent as soon as possible, but no later than six months from the date of the accident. You can still make a claim more than six months after the accident. However, your claim could be rejected if the insurer gets your claim more than six months after the accident and you cannot give a satisfactory reason for the delay. If you make a claim more than six months after the date of the accident, please attach an explanation to this claim form giving the reasons for the delay.

7 If you were under 16 years at the date of accident

Attach proof of age (a certified copy of your birth certificate or passport). If you wish to claim the children's special benefit you should also attach proof that you were a resident of NSW at the date of accident. (Refer to the important note for injured children on page 6).

8 Keep a copy of the completed forms and accounts and invoices

Please attach any original accounts and invoices you may already have to the claim form. Keep a copy of all forms, certificates, accounts and invoices, etc, so that you have your own record.

Tear along this line and keep this information after you send off the completed form.

AFTER YOU SEND YOUR CLAIM TO THE CTP INSURER

1 You will receive a letter from the insurer

The insurer will write to you within five working days of receiving your claim. The letter should also include a claim or reference number. If you have not heard from the insurer within two weeks of sending your claim, please contact the insurer.

2 You must help the CTP insurer with its investigation of your claim

You may be required to give the CTP insurer more information, photographs, documents or records. You may have to attend a medical examination organised by the insurer.

You must take all reasonable steps to recover from your injury, including undertaking all reasonable and appropriate treatment and rehabilitation. You must try to reduce your lost income, for example, by seeking alternative work, subject to your injuries and medical advice.

3 The insurer will tell you its decision about your claim

The insurer will tell you whether liability is accepted (fully or partly) or denied. The insurer is required to make a decision on liability within three months of a claim being made. If liability is accepted the insurer is obliged to pay reasonable and necessary:

- hospital, medical, rehabilitation, pharmaceutical, respite care and attendant care expenses, and
- travel and accommodation expenses associated with your receiving rehabilitation services.

After accepting liability, the insurer is only required to pay these expenses when they:

- are reasonable and necessary,
- are properly verified (original receipts, accounts or invoices) and,
- relate to the injury caused by the owner or driver of the motor vehicle.

If the CTP insurer denies liability on your claim, contact the Claims Advisory Service on 1300 656 919 for further information as you may have further rights against the CTP insurer.

4 Important note for injured children

From 1 October 2006, a special benefit will be available to children living in NSW who were under 16 at the time they were injured in the accident. The special benefit may be claimed when the accident was not caused by the driver or owner of a motor vehicle and provides for hospital, medical, rehabilitation, pharmaceutical, respite care and attendant care expenses. If the accident was caused, wholly or in part, by the driver or owner of a motor vehicle other compensation entitlements may apply.

5 Once your injuries have become stable and treatment is completed

You may negotiate with the insurer and settle the claim yourself. That settlement would represent a full and final resolution of your claim.

If you have a dispute about any part of your claim, you can contact the insurer, who has an internal complaints and dispute handling system. You can discuss any part of your claim with the insurer or you may seek legal advice.

6 CTP Insurer handling of your claim

CTP insurers are required to comply with the MAA Claims Handling Guidelines, which are available at www.maa.nsw.gov.au. If you need a copy sent to you, contact the Claims Advisory Service on 1300 656 919.

PERSONAL DETAILS

Ms Mrs Miss
 Mr Other Surname/family name Given name(s)

Have you ever been known by another name?

No Yes
 Surname/family name Given name(s)

Marital status: Never married Married (legal or defacto) Divorced Separated Widowed

Sex: M F Date of birth / /
Were you under 16 years at the date of the accident? No Yes

Driver's licence number State Occupation

Medicare number State

Home address

 Town/suburb State Postcode

Postal address (or as above)

 Postbox Town/suburb State Postcode

Phone numbers
 () Home () Work () Mobile

Email address

Do you need an interpreter to help you with your claim? No Yes

 Language

Accident details

If you have not reported the accident to the police, report it immediately.

1 Have you previously completed an Accident Notification Form (ANF)?
 No Yes
 CTP insurer and reference or claim number

2 Date of accident / /
Time of accident : am/pm
Weather and road conditions

3 Place of the accident (streets and town or suburb)

 Street(s) Town/suburb State Postcode

4 Did the police come to the accident scene? No Yes Go to Q6

5 Was the accident reported at a police station?

No Report the accident immediately Yes Date reported / /

6 Police officer's details (if you have a copy of the police report, please attach it to this form)

Police officer's name Police station Police "event" number

7 Is police action going to be taken? No Go to Q8 Don't know Go to Q8 Yes Complete Q7

Name of person charged (if known) Registration plate number Charge (if known)

Court (if known)

8 What was your part in the accident?

Driver Passenger Cyclist Motorbike rider Pillion passenger Pedestrian
 | Go to Q9 | | Go to Q11 | | Go to Q12

9 If you were a driver or passenger in a motor vehicle, were you wearing a seat belt? No Yes

10 If you were a driver or passenger in a motor vehicle, was a seat belt fitted to the vehicle? No Yes

11 If you were on a motorbike or a bicycle, were you wearing a safety helmet? No Yes

12 Had you taken any drugs, including medication or alcohol in the 12 hours before the accident?

No Yes
 Type and amount

13 If you were a passenger in a motor vehicle or a passenger on a bicycle or motorbike, had the driver or rider taken any drugs, including medication or alcohol in the 12 hours before the accident?

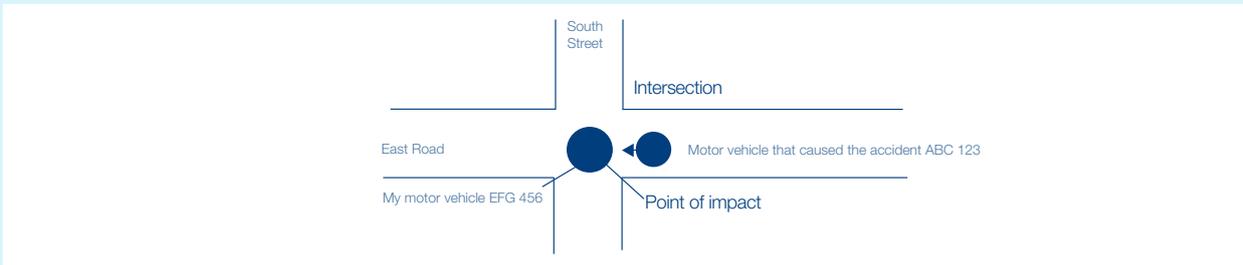
No Don't know Yes
 Type and amount

14 Was the accident a 'blameless accident' (as described on page 1 of this form)? No Yes

If you answered 'Yes' to Q14 you will need to include details of why you think the accident was 'blameless' in your description of the accident at Q16. You may also be required to provide more information after you lodge this claim form.

15 Draw a diagram of the accident. Include intersections, streets, roads and their names. Show the point of impact and position of all motor vehicles.

Example diagram for motor vehicle



Example diagram for pedestrian/cyclist

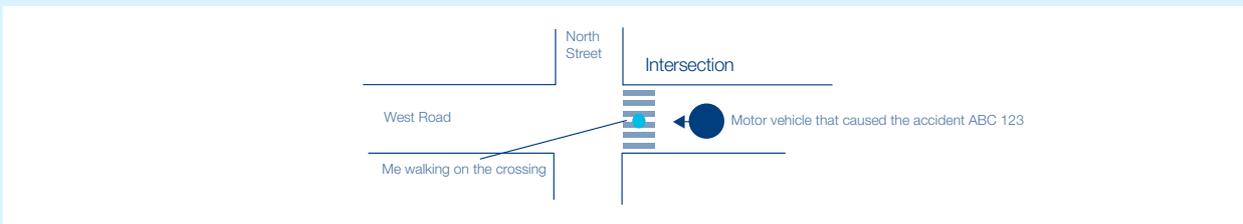


Diagram of the accident

Blank area for drawing the accident diagram.

16 Description of the accident (including who you consider caused the accident and how the accident happened)

Blank area with horizontal lines for describing the accident.

Please attach a separate page if you need to include more information.

DETAILS OF ALL MOTOR VEHICLES INVOLVED IN THE ACCIDENT

17 How many motor vehicles were involved in the accident?

18 Do you know the registration number of the motor vehicle you consider caused the accident?

Yes Go to Q20 No ► If you don't know this information after contacting the police go to Q19.

19 Applies to unidentified motor vehicles only

As the injured person, you have an obligation to provide evidence of steps taken to find out the registration number or the name of the person who drove the motor vehicle you consider caused the accident. Please list any actions you have taken and attach any proof such as a newspaper advertisement or account of discussions with any witnesses, etc. Fill in as many of the details at Q20 as you can.

Now fill in as many of the details in Q20 as you can

20 Provide details of the motor vehicle you consider caused the accident

Registration number <input type="text"/>	State <input type="text"/>	Make or model (e.g. Toyota Camry) <input type="text"/>	Type (e.g. station wagon, sedan) <input type="text"/>
Year of manufacture <input type="text"/>	Colour <input type="text"/>	Number of people in vehicle <input type="text"/>	Driver's licence number <input type="text"/>
Briefly describe the damage caused to this vehicle (if known) <input type="text"/>		Name of property damage or comprehensive insurer, if known <input type="text"/>	
Driver's surname/family name <input type="text"/>		Driver's given name(s) <input type="text"/>	
Driver's home phone <input type="text"/>	Driver's work phone <input type="text"/>	Driver's mobile phone <input type="text"/>	
Driver's address <input type="text"/>			
Town/suburb <input type="text"/>		State <input type="text"/>	Postcode <input type="text"/>
Owner's surname/family name (if same as driver, write "as above") <input type="text"/>		Owner's given name(s) <input type="text"/>	
(Or organisation/company name)			
Owner's home phone <input type="text"/>	Owner's work phone <input type="text"/>	Owner's mobile phone <input type="text"/>	
Owner's address <input type="text"/>			
Town/suburb <input type="text"/>		State <input type="text"/>	Postcode <input type="text"/>

21 Were you travelling in this vehicle? Yes Go to Q23 No

22 Provide details of the vehicle you were travelling in (if you were travelling in a vehicle)

Registration number Make or model (e.g. Toyota Camry) Type (e.g. station wagon, sedan)

State
Year of manufacture Colour Number of people in vehicle Driver's licence number

Including driver State
Briefly describe the damage caused to this vehicle (if known) Name of property damage or comprehensive insurer, if known

Driver's surname/family name Driver's given name(s)

Driver's home phone Driver's work phone Driver's mobile phone

Driver's address

Town/suburb State Postcode

23 Provide details of any other vehicle(s) involved in the accident

Registration number Make or model (e.g. Toyota Camry) Type (e.g. station wagon, sedan)

State
Year of manufacture Colour Number of people in vehicle Driver's licence number

Including driver State
Briefly describe the damage caused to this vehicle (if known) Name of property damage or comprehensive insurer, if known

Driver's surname/family name Driver's given name(s)

Driver's home phone Driver's work phone Driver's mobile phone

Driver's address

Town/suburb State Postcode

Please attach a separate page if you need to include more information.

DETAILS OF WITNESSES

24 Witnesses. Provide details of witnesses (including witnesses in the same motor vehicle as you).

Witness 1

Surname/family name

Given name(s)

Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode

Registration number (if the witness was in a vehicle)

Relationship to injured person (if any)

Witness 2

State

Surname/family name

Given name(s)

Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode

Registration number (if the witness was in a vehicle)

Relationship to injured person (if any)

Witness 3

State

Surname/family name

Given name(s)

Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode

Registration number (if the witness was in a vehicle)

Relationship to injured person (if any)

Witness 4

State

Surname/family name

Given name(s)

Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode

Registration number (if the witness was in a vehicle)

Relationship to injured person (if any)

State

Please attach a separate page if you need to include more information.

INJURY DETAILS

25 What are your injuries from the accident? (List all injuries and affected areas of the body, e.g. fracture to left leg and neck strain)

26 How do the injuries affect you now? (The effect of your injuries may change over time, e.g. have to use crutches and wear neck brace)

Please attach a separate page if you need to include more information.

27 Did you need an ambulance? Yes No

28 Did you go to a hospital after the accident?

No Go to Q32 Yes / /
Which hospital(s)? Date

29 Were you treated at the hospital? No Yes Date treated / /

30 Were you admitted to the hospital? No Go to Q32 Yes Date admitted / /

31 Have you been discharged from hospital? No Yes Date discharged / /

32 Who has treated you for your injuries since the accident?
 (List all doctors, surgeons, physiotherapists, specialists, etc)

Name	Specialty	Contact details	Is treatment ongoing? (Yes/No)

Please attach a separate page if you need to include more information

33 Are you aware of any treatment or rehabilitation plan(s) that has been developed for you?

No Go to Q34 Yes Describe below

Details of treatment or rehabilitation plan

34 Have you had any other injuries, disability or illness, before or since the accident, to the same part(s) of your body?

No Go to Q35 Yes Please complete the following information

Date (or approximately)

Injury or illness

____ / ____ / ____

Treatment

Doctor's name

Address (practice or surgery)

Town/suburb

State

Postcode

Date (or approximately)

Injury or illness

____ / ____ / ____

Treatment

Doctor's name

Address (practice or surgery)

Town/suburb

State

Postcode

35 Have you ever made a claim for personal injury compensation, workers compensation or other damages? (e.g. slip and fall, assault, medical negligence, or another motor accident)

No Go to Q36 Yes Please give details (if exact details are not known, please provide as much information as you can)

Date of injury

Insurance company

Claim or reference number

Type of claim

____ / ____ / ____

Date of injury

Insurance company

Claim or reference number

Type of claim

____ / ____ / ____

Date of injury

Insurance company

Claim or reference number

Type of claim

____ / ____ / ____

Please attach a separate page if you need to include more information.

44 Have you lost income from self-employment in your business because of the accident?No Go to Q46 Yes Give details

Name of business

Nature of business

Phone

Workplace address

Accountant's name

Town/suburb

State

Postcode

Accountant's address

Town/suburb

State

Postcode

Estimated earnings loss (give details of how much you believe you have lost and how you calculated the amount. You will be asked to give CTP insurers copies of your taxation returns, group certificates and assessment notices, where available).

45 If you are self employed have you hired anyone to replace you?No Explain why not Yes Give details of replacement including name, address, duties performed and cost**46 If you were self employed did you have a second paid job before the accident?**Yes Go back to Q43 No **47 Have you received or will you receive any money for being unable to work because of your injuries? (e.g. sick leave or holiday pay, social security benefits, workers compensation or insurance payment.)**No Go to Q48 Yes Give details**48 Before the accident, had you made any firm arrangements to start a new job, stop work, change your duties, working hours or earnings?**No Yes Give details

Please attach a separate page if you need to include more information.

STATUTORY DECLARATION

Please read the statutory declaration carefully before signing.

- The insurer or Nominal Defendant is authorised, under section 74 of the Motor Accidents Compensation Act 1999, to obtain information and documents relevant to the claim from the persons specified in the authorisation.
- You must sign the statutory declaration before a justice of the peace or a solicitor.
- Your claim may be delayed if the statutory declaration is not properly completed and witnessed.
- The injured person must sign the declaration unless he/she is under 18 years or is unable to make the declaration. In this case a parent, guardian, relative or friend of the injured person must sign the declaration.
- All information you have given in the claim form must be true and correct in every respect.
- Under section 117 of the Motor Accidents Compensation Act 1999, you can be penalised up to \$5,500 or imprisonment for 12 months, or both, for knowingly furnishing false or misleading particulars in this form.
- The collection, use and disclosure of personal information by licensed insurers is governed by the National Privacy Principles under the federal Privacy Act 1988.

Declaration

I solemnly and sincerely declare that, to the best of my knowledge, the information given in the Motor Accident Personal Injury Claim Form is true and correct in every respect. I authorise the Nominal Defendant or the insurer, against whom this claim is made, to: (i) contact and obtain information and documents relevant to the claim from persons specified in the authorisation; (ii) provide information and documents so obtained to persons specified in the authorisation.

Persons specified in the authorisation are:

- any doctor, ambulance service, hospital or other service provider
- any police department
- any property damage insurer
- Centrelink
- any employer or accountant of the Injured person
- any personal injury claim or workers compensation insurer
- Lifetime Care and Support Authority (LTCSA)
- Medicare Australia

I understand that information obtained under this declaration from doctors, an ambulance service or as part of clinical notes from hospitals may include general medical information relevant to my claim.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900.

Signature of injured person, or person on behalf of the injured person

Name of injured person, or person on behalf of the injured person

This section to be completed if another person signed on behalf of the injured person

Relationship to injured person

Phone

Reason why the injured person could not sign

This section to be completed by the solicitor or justice of the peace

Declared before me, on

I certify the following matters concerning the making of this statutory declaration by the person who made it [tick the applicable statements]:

- I saw the face of the person, OR
- I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering

AND

- I have known the person for at least 12 months, OR
- I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was

..... Describe identification document relied on

Signature of solicitor or justice of the peace

Name of solicitor or justice of the peace

Business name (if relevant)

Phone

Address

Town/suburb

State

Postcode

MEDICAL CERTIFICATE

Injured person's information

/ /
 Surname/family name Given name(s) Date of birth

 Address Town/suburb State Postcode

 Home phone Work phone Mobile phone Date of the accident

Medical information – to be completed by your doctor

"Your doctor" can be your general practitioner, treating specialist or hospital-based doctor

Are the injuries or conditions consistent with the circumstances of the motor accident described to you?

Date of examination / / Yes No

Medical diagnosis or description of injury

Clinical findings (symptoms or results of any investigations)

Did the patient attend hospital? No Yes Name of hospital (if patient attended or was admitted) ▼

Was the patient admitted to hospital? No Yes

Proposed treatment plan

Treatment likely to be required Short term (6 weeks) Medium term (6-12 weeks) Long term (> 12 weeks)

Specialist
 Medical or therapy
 Rehabilitation
 Other

Treatment type Person's name Phone or contact details

Describe the patient's fitness for work

Fit to resume normal duties on / /

Fit to resume normal duties with restrictions on / / Restrictions

Unfit for work from / / until / / Date of next medical review / /

How long has this patient attended the practice? Has the patient been treated for any similar condition in the past?

Doctor's information

 Doctor's name Provider number Work phone Area of speciality

 Address of practice Town/suburb State Postcode

I declare I am a registered medical practitioner and to the best of my knowledge, the information provided here is true and correct.

 / /
 Signature Date

CHECK LIST

Before sending this claim form to the CTP insurer please ensure that you have completed the following steps:

- Reported the accident to the police.
- Nominated the motor vehicle and person you consider caused the accident at question 20 (page 10) and attached any relevant documents relating to how the accident happened.
- Found out the CTP insurer of the motor vehicle you consider caused the accident by contacting 1300 656 919.
- Signed the statutory declaration (page 17) in the presence of a solicitor or justice of the peace.
- Ensured that you and your doctor have completed the medical certificate. This completed certificate needs to be sent in with the completed claim form.
- Attached proof of age if you were under 16 years at the date of accident.
- Attached to the claim form any original accounts, receipts or invoices you may already have.
- Made a copy of the claim form, certificates, accounts, invoices, etc for your own record.

Need more information?

Contact the Claims Advisory Service on **1300 656 919** or visit www.maa.nsw.gov.au

MOTOR ACCIDENT COMPENSATION TO RELATIVES FORM



MOTOR ACCIDENTS
AUTHORITY

THIS CLAIM FORM IS APPROVED BY THE MOTOR ACCIDENTS AUTHORITY OF NSW. IT IS TO BE USED FOR CLAIMS MADE UNDER THE COMPENSATION TO RELATIVES ACT 1897 FOR ACCIDENTS ON OR AFTER 1 OCTOBER 2008

Who Can Make a Claim

If you are the close relative (or the executor or administrator of the estate) of a person who died in a motor vehicle accident in NSW, there are a number of circumstances under which you may be eligible to claim compensation for the financial losses you and other close relatives may have suffered as a result of the death of that person.

For the purposes of making a claim a close relative is a wife, husband, de facto partner, brother, sister, half-brother, half-sister, parent or child of the person who died.

1. Other driver or owner of vehicle at fault

Whether the person who died was a driver, passenger, pedestrian, cyclist, motorbike rider or pillion passenger you can make a claim for compensation if you can demonstrate that a driver or owner of a motor vehicle, other than the person who died, was partially or completely at fault.

2. Special benefit for children in accidents from 1 October 2006

If the person who died was under 16 years of age and lived in NSW at the time of the accident you may still make a claim even if the accident was not caused by the driver or owner of a motor vehicle (i.e. the accident was caused by the child). Please refer to the Important note for children on page 6 for more information.

3. Blameless accidents from 1 October 2007

If the accident occurred on or after 1 October 2007 you may be able to make a claim for compensation even if the accident in which the person died was a blameless motor accident. Examples of blameless motor accidents could include accidents resulting from the sudden illness of a driver, such as heart attack or stroke or vehicle failure such as a tyre blow-out.

If the person who died was a passenger, pedestrian, cyclist, pillion passenger, driver or motorcycle rider you can make a claim. However, special rules apply to drivers and motorcycle riders in blameless accidents. You may not be entitled to make a claim if the person who died was involved in a single vehicle accident or if the person who died was driving or riding the vehicle that caused the accident (i.e. they were the driver that suffered a medical condition which resulted in the motor accident).

For more information about the special rules that apply to drivers and motorcycle riders in blameless accidents, contact the Claims Advisory Service on 1300 656 919.

If you were injured in a motor vehicle accident

Do not use this form if you were injured in a motor vehicle accident. If you were injured in a motor vehicle accident contact the CTP insurer to obtain a Personal Injury Claim Form. You can use the Personal Injury Claim Form for an injury that is physical, psychological or psychiatric.

Where To Send The Claim Form

You must send the completed claim form to the Green Slip or Compulsory Third Party (CTP) insurer of the motor vehicle you consider caused the accident. If you are unsure of where to send your claim form contact the MAA's Claims Advisory Service on 1300 656 919.

The claim form should be sent to the CTP insurer as soon as possible but no later than six months after the death. Even though you might not want to think about filling in forms right now, you and your family may miss out on compensation if you do not lodge your claim within six months of the death of your relative.

Help with your claim

If you are claiming more than funeral expenses, you might like to **talk to a solicitor**. A solicitor who understands this area of the law can help you work out who should be named in the form and who should receive compensation. Contact the NSW Law Society's Community Assistance Service (02 9926 0300) for names of personal injury accredited solicitors in your area.

Need More Information?

- Contact the Claims Advisory Service on 1300 656 919, or
- Visit the Motor Accidents Authority's (MAA) website at www.maa.nsw.gov.au

AM36301

ABOUT THE INFORMATION IN THIS FORM

The information in this form is required by law

The information in this form is required by laws covering motor accidents compensation. Failure to provide the required information may result in delays in processing your claim or it being rejected.

The information in this form is used by insurers to help determine liability for your claim and your compensation entitlements. It is important that you answer the questions fully. For example, you should include details of all dependants of the person who died.

Your information is confidential

The information in this form will be treated confidentially. Only staff of the Motor Accidents Authority (MAA), CTP insurers and other approved bodies with proper legal authority are allowed to access your information and are restricted in how they use the information. You have the right to access and correct information about you held by the MAA or CTP insurers. If you consider:

- that your personal information has been handled incorrectly by the MAA, you can ask the authority to undertake an internal review or you may contact Privacy NSW
- an insurer has handled your information incorrectly, you may contact the relevant insurer for an internal review or the Office of the Federal Privacy Commissioner.

CTP insurers are bound by national privacy principles. You may visit the licensed insurers' websites or contact them directly to request information on how to access your personal information, seek an internal review or determine with whom they share the information.

The information you provide must be truthful

You must answer the questions fully and truthfully. Information that is knowingly false or misleading may result in a fine of up to \$5,500 or imprisonment for up to 12 months or both.

INTERPRETER ASSISTANCE

If you need an interpreter service to help you read this form, contact:

Associated Translators & Linguists Pty Ltd

Level 5, 72 Pitt Street, Sydney, NSW 2000

P: 02 9231 3288 F: 02 9221 4763 www.atl.com.au

Office hours: 8.00am to 5.30pm (this interpreter service is provided free of charge to claimants).

ARABIC	.9231 3288 بالترجمة الى مترجم لقراءة هذا الطلب. فالرجاء الإتصال بتليفون رقم 9231 3288
CHINESE	如您需要傳譯員讀這表格請致電 9231 3288 如您需要传译员读这表格请致电 9231 3288
CROATIAN	AKO TREBATE PREVODITELJA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288
FARSI	اگر برای خواندن این فرم به مترجم احتیاج دارید به شماره 9231 3288 تلفن کنید.
GREEK	ΑΝ ΧΡΕΙΑΖΕΣΤΕ ΔΙΕΡΜΗΝΕΑ ΝΑ ΣΑΣ ΔΙΑΒΑΣΕΙ ΑΥΤΟ ΤΟ ΕΝΤΥΠΟ ΤΗΛΕΦΩΝΗΣΤΕ ΣΤΟ 9231 3288.
INDONESIAN	JIKA ANDA MEMERLUKAN BANTUAN PENERJEMAH UNTUK MEMBACA FORMULIR INI, SILAHKAN MENELEPON 9231 3288.
ITALIAN	SE AVETE BISOGNO DI UN INTERPRETE PER LEGGERE QUESTO MODULO CHIAMATE IL 9231 3288.
KOREAN	이 서식을 읽기 위해 통역이 필요하시면 전화 9231 3288로 연락 주십시오.
MACEDONIAN	AKO VI TREBA TOLKUVACH DA VI GO PROČITA OVOJ FORMULAR JAVETE SE NA 9231 3288.
POLISH	JEŚLI DO PRZECZYTANIA TEGO FORMULARZA POTRZEBUJE PAN(I) POMOCY TŁUMACZA, PROSZĘ ZATELEFONOWAĆ POD NUMER 9231 3288
PORTUGUESE	SE NECESSITAR QUE UM INTÉRPRETE LHE LEIA ESTE IMPRESSO TELEFONE PARA O NÚMERO 9231 3288.
SERBIAN	AKO TREBATE PREVOĐIOCA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288.
SPANISH	SI NECESITA QUE UN INTERPRETE LE LEA ESTE DOCUMENTO, LLAME AL: 9231 3288.
TAGALOG (FILIPINO)	KUNG KAILANGAN NINYO NG TAGASALINWIKA (INTERPRETER) SA PAGBABASA NG NAKASULAT DITO TUMAWAG SA 9231 3288
TURKISH	BU FORMU OKUMAK İÇİN TERCÜMANA İHTİYACINIZ VARSA 9231 3288. 'E TELEFON EDİNİZ.
VIETNAMESE	NẾU BẠN CẦN THÔNG DỊCH VIÊN ĐỂ ĐỌC MẪU ĐƠN NÀY HÃY GỌI ĐIỆN THOẠI SỐ 9231 3288.

If you need an interpreter to help you read this form, the declaration below must be completed by the interpreter and the claimant.

Interpreter declaration

- 1 We declare that the Motor Accident Compensation to Relatives Form has been read to the undersigned claimant by the undersigned interpreter.
- 2 We understand that the Motor Accidents Authority of New South Wales and Associated Translators & Linguists Pty Limited bear no responsibility for any loss whatsoever arising from the interpreting service provided.
- 3 We acknowledge that the interpreting service provided by Associated Translators & Linguists Pty Limited was limited to reading the claim form.
- 4 This declaration has been read to the claimant by the undersigned interpreter.

Claimant's name

Claimant's signature

Interpreter's name

Interpreter's signature

Claimant's address

Date:

MAKING A COMPENSATION TO RELATIVES CLAIM

There are a number of steps to making a claim:

1 Report the accident to the police

You must report the accident to the police as soon as possible, and in any case, within 28 days after the accident. If the accident is reported late and you cannot give a reason, it could affect the insurer's decision about your claim. If the accident has been reported late, please attach an explanation to this claim form giving the reasons for the delay.

2 Find out the CTP insurer of the NSW motor vehicle you consider caused the accident

Contact the Claims Advisory Service on 1300 656 919 to find out the CTP insurer. You will need to give them the NSW registration number plate of the motor vehicle you consider caused the accident and the date of the accident. If the motor vehicle you consider caused the accident is:

- not a NSW registered motor vehicle, you will need to contact the relevant state or territory.
- unregistered or cannot be identified (e.g. hit and run) see step 4 below for further instructions.

3 Identify the motor vehicle and person you consider caused the accident

You must indicate the motor vehicle and/or person you consider caused the accident (Q22). If you are having difficulty in finding out the motor vehicle registration number and/or the person you consider caused the accident contact the police.

4 If the motor vehicle you consider caused the accident was uninsured or unidentified

The Nominal Defendant receives claims where the motor vehicle you consider caused the accident cannot be identified or is uninsured, and the accident occurred in NSW.

Before sending the claim you must take action to find out the registration number of the motor vehicle or the person you consider caused the accident. For example, by putting an advertisement in the newspaper or attempting to talk to witnesses.

If you cannot find out the registration number or if the motor vehicle is unregistered and not covered by CTP insurance, send your claim to the Nominal Defendant at Level 25, 580 George Street, Sydney NSW 2000, (DX 1517 Sydney). If you need more information about the Nominal Defendant call 1300 137 131 or visit www.maa.nsw.gov.au

5 Complete the claim form on behalf of all dependants

A compensation to relatives claim is made by one person on behalf of all dependants of the deceased. In filling out the compensation to relatives claim form it is necessary to not only include any claim you have for loss of dependency (financial support or loss of services) but also the claims of anyone else who was dependent on the deceased. The entitlements of all dependants are dealt with at the same time and as part of the same claim.

6 Send the claim form to the CTP insurer

You must send the completed claim form to the CTP insurer of the motor vehicle you consider caused the accident (see step 2 above).

The claim form should be sent as soon as possible, but no later than six months from the date of death. You can still make a claim more than six months after the date of death. However, your claim could be rejected if you cannot give a satisfactory reason for the delay. If you make a claim more than six months after the date of death, please attach an explanation to this claim form giving reasons for the delay.

7 If the person who died was under 16 years at the date of accident

Attach proof of age (a certified copy of the birth certificate, death certificate or passport) and proof that the person who died was a resident of NSW at the date of their death (refer to the Important note for children on page 6).

8 Keep a copy of the completed forms and accounts and invoices

Please attach any original accounts and invoices you may already have to the claim form. Keep a copy of all forms, certificates, accounts and invoices, etc, so that you have your own record.

Tear along this line and keep this information after you send off the completed form.

AFTER YOU SEND YOUR CLAIM TO THE CTP INSURER

1 You will receive a letter from the insurer

You will get a letter from the insurer telling you they have received your claim. The letter will include a claim or reference number that you should use if you want to talk to the insurer about your claim. The letter will also include a contact person's name and phone number.

2 You must help the CTP insurer with its investigation of your claim

The insurer will investigate your claim. You may be required to give the CTP insurer more information, photographs, documents or records.

3 The insurer will tell you its decision about your claim

The insurer will tell you whether liability is accepted (fully or partly) or denied. The insurer is required to make a decision on liability within three months of a claim being made. If the insurer accepts liability, they will then make an offer of settlement, that is, an offer to pay an amount of compensation they think is appropriate after investigating the losses you describe in this form.

The settlement offer may include payment for:

- Funeral expenses paid for either by you or a close relative
- The loss of financial support which the person who died would have provided to you or other close relatives if the person had not died
- Loss of services (such as those previously provided by a parent to a child)
- Hospital and other medical expenses
- Loss of earnings the person suffered prior to their death.

You may negotiate with the insurer to settle your claim. This can include accepting the insurer's offer or making a counter-offer.

If the CTP insurer denies liability on your claim, contact the Claims Advisory Service on 1300 656 919 for further information as you may have further rights against the CTP insurer.

4 Important note for children

From 1 October 2006, if the person who died was under 16 years of age and lived in NSW at the time of their death, you may still make a claim for the children's special benefit even if the accident was not caused by the owner or driver of a motor vehicle. The special benefit provides for reasonable funeral or cremation expenses associated with the death of the child. If the accident was caused, wholly or in part, by the driver or owner of a motor vehicle other compensation entitlements may apply.

5 CTP insurer handling of your claim

CTP insurers are required to comply with the MAA Claims Handling Guidelines, which are available at www.maa.nsw.gov.au. If you need a copy sent to you, contact the Claims Advisory Service on 1300 656 919.

PERSONAL DETAILS

Details of the deceased person

Ms Mrs Miss
 Mr Other Surname/family name Given name(s)

Was the person under 16 years at the date of death? No Yes Date of birth / /

Sex: M F

Marital status: Never married Married (legal or defacto) Divorced Separated Widowed

Driver's licence number Occupation

Medicare number State

Home address

Town/suburb State Postcode

Date of Death / / Cause of death, if known

Note: a copy of the death certificate should be lodged with this claim. If this certificate is not available when you lodge the form, forward it as soon as it is.

Details of the person making this claim

Ms Mrs Miss
 Mr Other Surname/family name Given name(s)

Have you ever been known by another name? No Yes

Do you need an interpreter to help you with your claim? No Yes Language

Home address

Town/suburb State Postcode

Postal address (or as above)

Postbox Town/suburb State Postcode

Phone numbers () () ()
 Home Work Mobile

Email address

Are you a close relative of the deceased person? No Yes Relationship

Are you the executor or administrator of the estate of the deceased person?

No Yes

Are you completing this form because you are acting in a professional capacity, e.g. as a solicitor?

No Yes Professional capacity

Professional capacity

Who will continue to conduct this claim?

Name

Address

Town/suburb

State

Postcode

ACCIDENT DETAILS

If you have not reported the accident to the police, report it immediately.

1 Date of accident **Time of accident** **Weather and road conditions**

 / / : am/pm

2 Place of the accident (streets and town or suburb)

Street(s)

Town/suburb

State

Postcode

3 Did the police come to the accident scene? No Yes Go to Q5

4 Was the accident reported at a police station?

No Report the accident immediately Yes Date reported / /

5 Police officer's details (if you have a copy of the police report, please attach it to this form)

Police officer's name

Police station

Police "event" number

6 Is police action going to be taken? No Go to Q7 Don't know Go to Q7 Yes

Name of person charged (if known)

Registration plate number

Charge (if known)

Court (if known)

7 Is a coronial inquest pending? No Don't know Go to Q8 Yes

Court (if known)

Date (if known)

8 What part did the deceased play in the accident?

Driver Passenger Cyclist Motorbike rider Pillion passenger Pedestrian
 Go to Q9 Go to Q11 Go to Q12

9 If the deceased person was a driver or passenger in a motor vehicle, was the driver/rider wearing a seat belt? No Yes Don't know

10 If the deceased person was a driver or a passenger in a motor vehicle, was a seat belt fitted to the vehicle? No Yes Don't know

11 If the deceased person was on a motorbike or a bicycle, was he/she wearing a safety helmet? No Yes Don't know

12 Had the deceased person taken any drugs, including medication or alcohol in the 12 hours before the accident?

No Don't know Yes
Type and amount

13 If a blood sample was taken, what was the result? Don't know Go to Q14

14 If the deceased person was a passenger in a motor vehicle or a passenger on a bicycle or motorbike, had the driver or rider taken any drugs, including medication or alcohol in the 12 hours before the accident?

No Don't know Yes
Type and amount

15 If a blood sample was taken, what was the result? Don't know Go to Q16

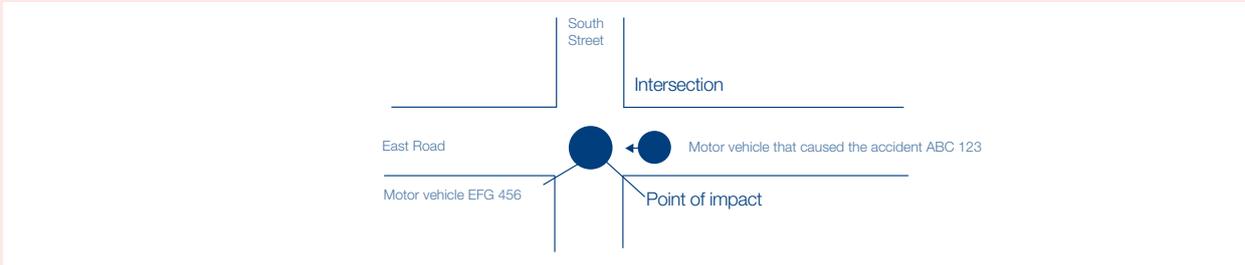
16 Was the accident a 'blameless accident'? No Yes

Examples of blameless motor accidents could include accidents resulting from the sudden illness of a driver such as heart attack or stroke or vehicle failure such as a tyre blow-out.

If you answered 'yes' to Q16 you will need to include details of why you think the accident was 'blameless' in your description of the accident at Q18. You may also be required to provide more information after you lodge this claim form.

17 Draw a diagram of the accident. Include intersections, streets, roads and their names. Show the point of impact and position of all motor vehicles.

Example diagram for motor vehicle



Example diagram for pedestrian/cyclist

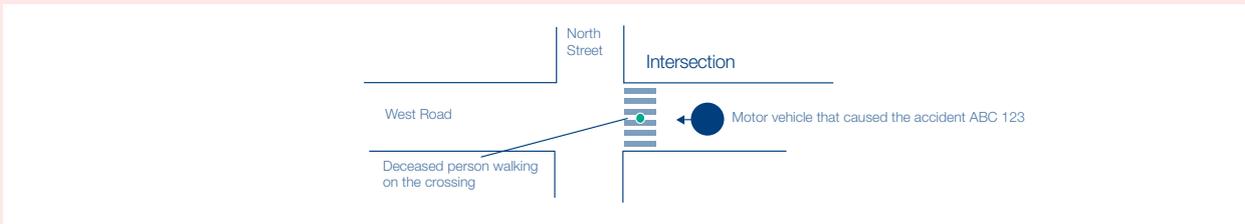


Diagram of the accident

Blank area for drawing the accident diagram.

18 Description of the accident (including who you consider caused the accident and how the accident happened)

Blank area with horizontal lines for writing the description of the accident.

Please attach a separate page if you need to include more information.

DETAILS OF ALL MOTOR VEHICLES INVOLVED IN THE ACCIDENT

19 How many motor vehicles were involved in the accident?

20 Do you know the registration number of the motor vehicle you consider caused the accident?

Yes  Go to Q22 No  If you don't know this information after contacting the police go to Q21.

21 Applies to unidentified motor vehicles only

You have an obligation to provide evidence of steps taken to find out the registration number or the name of the person who drove the motor vehicle you consider caused the accident. Please list any actions you have taken and attach any proof such as a newspaper advertisement or account of discussions with any witnesses, etc. Fill in as many of the details at Q22 as you can.

Now fill in as many of the details in Q22 as you can

22 Provide details of the motor vehicle you consider caused the accident

Registration number <input type="text"/>	Make or model (e.g. Toyota Camry) <input type="text"/>	Type (e.g. station wagon, sedan) <input type="text"/>
Year of manufacture <input type="text"/>	State Colour <input type="text"/>	Number of people in vehicle <input type="text"/>
Briefly describe the damage caused to this vehicle (if known) <input type="text"/>		Driver's licence number <input type="text"/>
Name of property damage or comprehensive insurer, if known <input type="text"/>		State <input type="text"/>
Driver's surname/family name <input type="text"/>	Driver's given name(s) <input type="text"/>	
Driver's home phone () <input type="text"/>	Driver's work phone () <input type="text"/>	Driver's mobile phone () <input type="text"/>
Driver's address <input type="text"/>		
Town/suburb <input type="text"/>		State <input type="text"/>
Postcode <input type="text"/>		
Owner's surname/family name (if same as driver, write "as above") <input type="text"/>		Owner's given name(s) <input type="text"/>
(Or organisation/company name)		
Owner's home phone () <input type="text"/>	Owner's work phone () <input type="text"/>	Owner's mobile phone () <input type="text"/>
Owner's address <input type="text"/>		
Town/suburb <input type="text"/>		State <input type="text"/>
Postcode <input type="text"/>		

23 Was the deceased person travelling in this vehicle? Yes  Go to Q25 No 

24 Provide details of the vehicle the deceased person was travelling in (if they were travelling in a vehicle)

Registration number Make or model (e.g. Toyota Camry) Type (e.g. station wagon, sedan)

Year of manufacture State Colour Number of people in vehicle Driver's licence number

Briefly describe the damage caused to this vehicle (if known) Including driver Name of property damage or comprehensive insurer, if known State

Driver's surname/family name Driver's given name(s)

Driver's home phone () Driver's work phone () Driver's mobile phone ()

Driver's address

Town/suburb State Postcode

25 Provide details of any other vehicle(s) involved in the accident

Registration number Make or model (e.g. Toyota Camry) Type (e.g. station wagon, sedan)

Year of manufacture State Colour Number of people in vehicle Driver's licence number

Briefly describe the damage caused to this vehicle (if known) Including driver Name of property damage or comprehensive insurer, if known State

Driver's surname/family name Driver's given name(s)

Driver's home phone () Driver's work phone () Driver's mobile phone ()

Driver's address

Town/suburb State Postcode

Please attach a separate page if you need to include more information.

DETAILS OF WITNESSES

26 Witnesses. Provide details of witnesses (including witnesses in the same motor vehicle as the deceased person).

Witness 1

Surname/family name	Given name(s)
<input type="text"/>	<input type="text"/>

Home address

Home phone ()	Work phone ()	Town/suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration number (if the witness was in a vehicle)	Relationship to deceased (if any)
<input type="text"/>	<input type="text"/>

Witness 2

Surname/family name	Given name(s)
<input type="text"/>	<input type="text"/>

Home address

Home phone ()	Work phone ()	Town/suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration number (if the witness was in a vehicle)	Relationship to deceased (if any)
<input type="text"/>	<input type="text"/>

Witness 3

Surname/family name	Given name(s)
<input type="text"/>	<input type="text"/>

Home address

Home phone ()	Work phone ()	Town/suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration number (if the witness was in a vehicle)	Relationship to deceased (if any)
<input type="text"/>	<input type="text"/>

Witness 4

Surname/family name	Given name(s)
<input type="text"/>	<input type="text"/>

Home address

Home phone ()	Work phone ()	Town/suburb	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration number (if the witness was in a vehicle)	Relationship to deceased (if any)
<input type="text"/>	<input type="text"/>

Please attach a separate page if you need to include more information

DETAILS OF FINANCIAL LOSSES

Funeral expenses

Once liability is admitted, insurers should pay or reimburse the reasonable costs of funeral and other burial expenses (including a headstone).

27 Date of funeral

 / /

Cost of funeral

Have the funeral expenses been paid? Yes No

Name and address of the person(s) who paid for the funeral

Town/suburb

State

Postcode

28 Has the headstone been paid for? Yes No

Name and address of the person(s) who paid for the headstone

Original accounts and/or receipts for the funeral and headstone expenses must be sent to the insurer before payments can be made.

Details of dependant persons claiming loss of financial support

Before the accident, the person who died may have been giving close relatives money and other things like food, housing and clothing or making payments to someone else on behalf of a dependant (eg. rent or mortgage payments, car or education expenses). These close relatives or "dependants" might be the deceased person's wife, husband, de facto partner, parent, child, brother, half-brother, sister or half-sister.

29 Do any of the deceased person's dependants wish to claim compensation for the loss of financial support they were receiving prior to the death of their close relative? Yes No ▶ Statutory Declaration on page 22

If you or any of the close relatives are claiming compensation for loss of financial support you will need to provide the following information about yourself and the other dependants. If there are more than three dependants, write the information on a separate sheet of paper labelled "Dependant persons claiming loss of financial support" and attach it to this form.

If any dependants are under 18 years, please attach a copy of each dependant's birth certificate.

30 Dependant 1

Full name (title, given names, surnames)

Date of birth

 / /

Marital status

never married widowed divorced
 legally married de facto separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb

State

Postcode

Relationship to the deceased person

31 Was the dependant employed?

Yes

No ► Go to Q32

Name and address of dependant's employer

At times of relative's death

Town/suburb

State

Postcode

At present

Town/suburb

State

Postcode

Length of time at present job

Normal weekly earnings at time of relatives death

at present

Before tax

After tax

Before tax

After tax

32 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?

Yes ► No Go to Q33

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

33 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

- * The column titled Method refers to how the deceased relative paid the dependant:
- direct deposit into banking account = bank
 - cash direct to dependant = cash
 - cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

34 Dependant 2

Full name (title, given names, surnames)

Date of birth

 / /

Marital status

 never married
 legally married

 widowed
 de facto

 divorced
 separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb

State

Postcode

Relationship to the deceased person

35 Was the dependant employed?

Yes

No ► Go to Q36

Name and address of dependant's employer

At times of relative's death

Town/suburb

State

Postcode

At present

Town/suburb

State

Postcode

Length of time at present job

Normal weekly earnings at time of relatives death

Before tax

After tax

at present

Before tax

After tax

36 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?

Yes ►

No ► Go to Q37

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

37 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

* The column titled Method refers to how the deceased relative paid the dependant:

- direct deposit into banking account = bank
- cash direct to dependant = cash
- cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

38 Dependant 3

Full name (title, given names, surnames)

Date of birth

 / /

Marital status

- never married
 legally married

- widowed
 de facto

- divorced
 separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb

State

Postcode

Relationship to the deceased person

39 Was the dependant employed?

Yes

No

▶ Go to Q40

Name and address of dependant's employer

At times of relative's death

Town/suburb

State

Postcode

At present

Town/suburb

State

Postcode

Length of time in present job

Normal weekly earnings at time of relatives death

Before tax

After tax

at present

Before tax

After tax

40 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?

Yes

No

▶ Go to Q41

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

41 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

* The column titled Method refers to how the deceased relative paid the dependant:

- direct deposit into banking account = bank
- cash direct to dependant = cash
- cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

DETAILS OF THE RELATIONSHIP BETWEEN THE DECEASED PERSON AND THEIR SPOUSE

42 Does the deceased person have a surviving spouse? Yes No ► Go to Q47

43 Was the spouse legally married to the deceased person? Yes No ► Go to Q44

Date of marriage

/ /

Place of marriage

A copy of the marriage certificate should be lodged with this claim form.

Go to Question 45

44 If the deceased person lived in a de facto relationship with the surviving spouse, on what date did the relationship start?

/ /

45 Before the accident, was the surviving spouse separated or divorced from the deceased person?

Yes

No

► Go to Q47

When did the separation start?

Separated

Day / Month / Year

Divorced

When did the marriage dissolve?

Day / Month / Year

46 Was there a maintenance order against the deceased person which was current at the date of death?

Yes

No

► Go to Q47

Please provide details

When did the deceased person last pay maintenance?

Day / Month / Year

Amount

\$

DETAILS OF THE DECEASED PERSON'S EARNINGS

47 At the date of the accident, what was the deceased person's employment status?

self-employed

home duties

retired

other

employed

full time student

unemployed

48 Was the deceased person employed at the date of the accident?

Yes

No

► Go to Q52

49 Name and address of the deceased person's employer at the time of the accident

Town/suburb

State

Postcode

Contact person's name

Contact phone number

()

THIS QUESTION CONTINUES ON THE NEXT PAGE

Deceased person's usual weekly work hours

Ordinary

Overtime

Description of duties

Standard weekly earnings

Gross pay

Tax

Net pay

50 Did the deceased person have a second paid job before the accident?

Yes Go to Q51 No Go to Q52

51 Name and address of the deceased person's second employer

Town/suburb

State

Postcode

Contact person's name

Contact phone number

Usual weekly work hours in second job

Ordinary

Overtime

Description of duties (second job)

Standard weekly earnings (second job)

Gross pay

Tax

Net pay

If the deceased person had any other jobs, please attach a page labelled "Other employment".

52 Was the deceased person self-employed at the time of the accident?

Yes No Go to Q56

Name and nature of business

Phone number

Work place address

Town/suburb

State

Postcode

Accountant's name

Town/suburb

State

Postcode

53 Is this business still operating? Yes No ► Go to Q55

54 Has anyone been employed to replace the deceased person? Yes No

55 Estimate the earnings lost as a result of the accident and give details of how you calculated the amount. You should give the insurer copies of the deceased person’s personal and business income tax returns with this claim form. If you do not have the tax returns then give them to the insurer once they are available.

If you need more space, attach a page labelled “Self employment earnings lost”

56 Was the deceased person receiving any other form of income at the date of the accident (eg. investment, workers compensation, social security benefits, income protection payments)?

Yes No

If the deceased person was being paid:

- a benefit, provide the social security number
- worker’s compensation, provide the insurer and claim number
- through a disability or income protection policy, provide the insurer and policy number.

57 Before the accident, had the deceased person made any firm arrangements to start a new job, or stop work, or change duties, working hours or earnings?

Yes No

Details should state when the new arrangements were going to start. Also, write down the name of the proposed employer. Provide a copy of any letter or other written evidence.

OTHER INFORMATION

58 Did the deceased person have any health problems (eg. diabetes, heart condition) before the accident?

Yes

No ► Go to Q59

Don't know ► Go to Q59

Please describe the problems

59 Were there any expenses and financial losses suffered by the deceased person resulting from the accident in the time between the accident and the date of death?

Yes

No

Describe eg. intensive care fees, lost wages

STATUTORY DECLARATION

Please read the statutory declaration carefully before signing.

- You must sign the statutory declaration before a justice of the peace or a solicitor.
- The person making this claim must sign the declaration unless he/she is under 18 years or is unable to make the declaration. In this case a parent, guardian, relative or friend of the person making this claim must sign the declaration.
- Your claim may be delayed if the statutory declaration is not properly completed and witnessed.
- All information you have given in the claim form must be true and correct in every respect.
- The collection, use and disclosure of personal information by licensed insurers is governed by the National Privacy Principles under the federal Privacy Act 1988.

Declaration

I solemnly and sincerely declare that, to the best of my knowledge, the information given in the Motor Accident Compensation to Relatives Claim Form is true and correct in every respect. I authorise the Nominal Defendant or the Insurer, against whom this claim is made, to: (i) contact and obtain information and documents relevant to the claim from persons specified in the authorisation; (ii) provide information and documents so obtained to persons specified in the authorisation.

Persons specified in the authorisation are:

- any doctor, ambulance service, hospital or other service provider
- any police department
- any property damage insurer
- Centrelink
- any employer or accountant of the deceased person
- any personal injury claim or workers compensation insurer
- Lifetime Care and Support Authority (LTCSA)
- Medicare Australia

I understand that information obtained under this declaration from doctors, an ambulance service or as part of clinical notes from hospitals may include general medical information relevant to my claim.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900.

<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Signature of claimant, or person on behalf of the claimant	Name of claimant, or person on behalf of the claimant

Name of deceased person

This section to be completed if another person signed on behalf of the claimant

<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Relationship to claimant	Phone

Reason why the claimant could not sign

This section to be completed by the solicitor or justice of the peace

Declared before me, on / /

I certify the following matters concerning the making of this statutory declaration by the person who made it [tick the applicable statements]:

- I saw the face of the person, OR
- I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering

AND

- I have known the person for at least 12 months, OR
- I have not known the person for at least 12 months, but I have confirmed the person's identity using an identification document and the document I relied on was

.....
Describe identification document relied on

<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Signature of solicitor or justice of the peace	Name of solicitor or justice of the peace

<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Business name (if relevant)	Phone

<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Address	Town/suburb	State	Postcode

CHECK LIST

Before sending this claim form to the CTP insurer please ensure that you have completed the following steps:

- Reported the accident to the police
- Nominated the motor vehicle and person you consider caused the accident at question 22 (page 11) and attached any relevant documents relating to how the accident happened
- Found out the CTP insurer of the motor vehicle you consider caused the accident by contacting 1300 656 919
- Signed the statutory declaration (page 22) in the presence of a solicitor or justice of the peace
- Attached proof of age if the person who died was under 16 years at the date of death
- Attached to the claim form any original accounts, receipts or invoices you may already have
- Attached copies of any relevant certificates such as death certificates or marriage certificates
- Made a copy of the claim form, certificates, accounts, invoices etc for your own record

Need more information?

Contact the Claims Advisory Service on 1300 656 919 or visit www.maa.nsw.gov.au

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ALBURY CITY COUNCIL

Roads Act 1993, Section 162

NOTICE is hereby given that Albury City Council, pursuant to section 162 of the Roads Act 1993, has renamed the following road:

<i>Location</i>	<i>Road Name</i>
Existing road running parallel and south of Borella Road between Broad and Keene Streets, East Albury.	Smithwick Lane.

L. G. TOMICH, General Manager, Albury City Council, 553 Kiewa Street, Albury NSW 2640. [6431]

GREATER HUME SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

GREATER HUME SHIRE COUNCIL declares with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for a bridge replacement on Culcairn Holbrook Road. Dated at Holbrook, this 7th day of February 2012. S. PINNUCK, General Manager, Greater Hume Shire Council, PO Box 99, Holbrook NSW 2644.

SCHEDULE

Lots 11 and 12, DP 1169429. [6432]

KYOGLE COUNCIL

Roads Act 1993, Section 162

NOTICE is hereby given that the Kyogle Council, in pursuance of section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000, has resolved to make the road name change listed below:

<i>Road No./Current Road Name or Description of Route</i>	<i>Road Name</i>
304 – The un-named road near the village of Woodenbong starting from Lindsay Creek Road and running in a westerly direction through Lot 7016, DP 1072312 and immediately to the north of the adjoining Lot 7005, DP 1055056, then through to the western most boundary of Lot 7, DP 751059.	Recreation Road.

A. E. PIGGOTT, General Manager, Kyogle Council, PO Box 11, Kyogle NSW 2474. [6433]

LIVERPOOL CITY COUNCIL

Roads Act 1993, Section 10

Notice of Dedication of Land as Public Road

NOTICE is hereby given that the Council of the City of Liverpool dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. FAROOQ PORTELLI, General Manager, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC NSW 1871.

SCHEDULE

All that piece or parcel of land known as Lot 107 in Deposited Plan 1145941 and Lot 108 in Deposited Plan 1145941 in the City of Warwick Farm, Parish of St Luke, County of Cumberland and as described in Folio Identifier 107/1145941 and 108/1145941. [6434]

LIVERPOOL CITY COUNCIL

Roads Act 1993, Section 10

Notice of Dedication of Land as Public Road

NOTICE is hereby given that The Council of the City of Liverpool dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. FAROOQ PORTELLI, General Manager, The Council of the City of Liverpool, Locked Bag 7064, Liverpool BC NSW 1871.

SCHEDULE

All that piece or parcel of land known as Lot 1 in Deposited Plan 184688 in the City of Liverpool, Parish of St Luke, County of Cumberland and as described in Folio Identifier 1/184688. [6435]

PENRITH CITY COUNCIL

Erratum

PURSUANT to Clause 9 of the Roads Regulation 2008, the following Road Names advertised on page 813, of the *New South Wales Government Gazette* No. 19, dated 10 February 2006:

Road Name Changes in the Development known as Waterside in the suburb of Cranebrook

Shelbourne Court is now known as Shellbourne Place, Cranebrook

Nightjar Court is now known as Nightjar Street, Cranebrook

Jaeger Place is now known as Jaeger Street, Cranebrook

Firetail Court is now known as Firetail Circuit, Cranebrook

For further information please contact Mr ALAN STONEHAM, The General Manager, Penrith City Council, PO Box 60, Penrith NSW 2751, tel.: (02) 4732 7777. [6436]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Estate of MARGARET MARY HARLEY. – Any person having any claim upon the estate of Margaret Mary Harley, late of East Ryde, who died on 1 November 2011, must send particulars of the claim to the legal representative for the estate at care of HPL Lawyers, PO Box 705, Freshwater NSW 2096 within 30 days from publication of this notice. After that time the legal representative intends to distribute the property in the estate having regard only to the claims of which the legal representative had notice at the time of distribution. HPL LAWYERS, PO Box 705, Freshwater NSW 2096, tel.: (02) 9905 9500. [6437]

COMPANY NOTICES

NOTICE of members' voluntary winding up. – BARANOA PTY LIMITED, ACN 000 183 737 (In Liquidation). – Notice is hereby given pursuant to the Corporations Act 2001, that at an extraordinary general meeting of Baranoa Pty Limited (In Liquidation), held on 13 April 2012, the Company's Members resolved to wind up the company voluntarily and to appoint Colin Wilson, Chartered Accountant, of Wilson Porter Services Pty, Chartered Accountants, 154 Elizabeth Street, Sydney NSW 2000, as liquidator of the company. After 21 days from today I will begin distributing the company's Assets. All creditors who have a claim against the company should give me details of their claims by that date, otherwise I will not recognise their claims when I distribute the assets. COLIN WILSON, Chartered Accountant, c.o. Wilson Porter Services Pty, Chartered Accountants, 154 Elizabeth Street, Sydney NSW 2000, tel.: (02) 9283 4333. [6438]

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