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MENTAL HEALTH ACT 2007
Section 109
Declaration of Mental Health Facility

I, DAVID PEARCE, Executive Director, Mental Health Branch, acting under delegation from the Secretary, NSW Ministry of Health, and pursuant to section 109 of the *Mental Health Act 2007* and section 43 of the *Interpretation Act 1987*, and to, in part, facilitate the transfer of patient care from the existing Maitland Hospital to the new Maitland Hospital, DO HEREBY:

a) REVOKE the Order published in the NSW Government Gazette No. 89 of 18 August 2017 page 4474, declaring the Maitland Mental Health Unit at Maitland Hospital to be a declared mental health facility in accordance with section 109 of the *Mental Health Act 2007*; and

b) DECLARE the following premises to be declared as mental health facilities for the purposes of section 109 of the *Mental Health Act 2007*:

- **The Hunter Valley Mental Health Inpatient Unit**, located on the third floor of The New Maitland Hospital, Metford Road, Metford NSW 2323; and
- **Maitland Mental Health Unit**, located on the Maitland Hospital Campus at 560 High Street, Maitland NSW 2320 (until 31 January 2022); and

c) DECLARE these facilities to be designated as “mental health assessment and inpatient treatment” class facilities.

Signed, this 21st day of December 2021

David Pearce
Executive Director
Mental Health Branch
NSW Ministry of Health
PH624

MENTAL HEALTH ACT 2007
Section 109
Declaration of mental health facility

I, DAVID PEARCE, Executive Director, Mental Health Branch, acting under delegation from the Secretary, NSW Ministry of Health, and pursuant to section 109 of the *Mental Health Act 2007* and section 43 of the *Interpretation Act 1987*, DO HEREBY:

(a) REVOKE the Order published in the NSW Government Gazette No.583 of 12 November 2021 (n2021-2451), declaring three community entities as declared mental health facilities in accordance with section 109 of the *Mental Health Act 2007*, and

(b) DECLARE the **Child and Adolescent Community Mental Health Service Newcastle**, situated at 621 Hunter Street, Newcastle NSW 2300, to be a declared mental health facility under the *Mental Health Act 2007*; and

(c) DECLARE the **Child and Adolescent Community Mental Health Service Lake Macquarie**, situated at 1a Dudley Road, Charlestown NSW 2291, to be a declared mental health facility under the *Mental Health Act 2007*; and

(d) DECLARE the **Child and Adolescent Community Mental Health Service Hunter Valley**, situated at Melbee House, 560 High Street, Maitland NSW 2320, to be a declared mental health facility under the *Mental Health Act 2007*; and

(e) DECLARE these facilities to be designated in the class of facilities known as “community or health care agency class” for the purposes of section 109 (2)(a); and

(f) RESTRICT these facilities to the provision of services and performance of functions necessary for or associated with the administration or management of community treatment orders under the following provisions of the *Mental Health Act 2007*:

- i. Part 3 of Chapter 3 (except for sections 61, 61A, 62 and 63);
- ii. Chapter 4; and
- iii. Chapter 5 (except for sections 111 and 112 and Division 2 of Part 2)

Signed, this 21st day of December 2021

David Pearce
Executive Director
Mental Health Branch
NSW Ministry of Health
PH624

MENTAL HEALTH ACT 2007
Section 109
Variation to the declaration of mental health facility

I, DAVID PEARCE, Executive Director, Mental Health Branch, acting under delegation from the Secretary, NSW Ministry of Health, and pursuant to section 109 of the *Mental Health Act 2007* and section 43 of the *Interpretation Act 1987*, DO HEREBY:

a) VARY the Order made pursuant to section 109 of the *Mental Health Act 2007*, published in the NSW Government Gazette No. 166 of 13 November 2009, pages 5675 - 5676, declaring certain Emergency Departments to be declared mental health facilities, by removing the reference to 'the Emergency Department of The Maitland Hospital, located on the Maitland Hospital Campus at 550-560 High Street, Maitland NSW 2320'.

Signed, this 21st day of December 2021

David Pearce
Executive Director
Mental Health Branch
NSW Ministry of Health
PH624

MENTAL HEALTH ACT 2007
Section 109
Declaration of Mental Health Facility

I, DAVID PEARCE, Executive Director, Mental Health Branch, acting under delegation from the Secretary, NSW Ministry of Health, and pursuant to section 109 of the *Mental Health Act 2007*, and to, in part, facilitate the transfer of patient care from the existing Maitland Hospital to the new Maitland Hospital, DO HEREBY:

a) DECLARE the following premises to be declared as mental health facilities for the purposes of section 109 of the *Mental Health Act 2007*:

- **The Emergency Department of The New Maitland Hospital**, located on the ground floor of The New Maitland Hospital, Metford Road, Metford NSW 2323; and
- **The Emergency Department of The Maitland Hospital**, located on the Maitland Hospital Campus at 560 High Street, Maitland NSW 2320 (until 31 January 2022); and

b) DECLARE these facilities to be designated as “mental health emergency assessment” class facilities; and

(c) RESTRICT these facilities to the provision of acute assessment functions, where a patient can be held in anticipation of discharge should their clinical condition resolve rapidly, or transferred to a declared mental health facility of the "mental health assessment and inpatient treatment" class if required, in accordance with all provisions of the *Mental Health Act 2007*, with the exception of:

- i. Chapter 2;
- ii. Division 3 of Part 2 of Chapter 3;
- iii. Division 1 of Part 3 of Chapter 3;
- iv. Sections 57 and 58 of Division 2 of Part 3 of Chapter 3

Signed, this 21st day of December 2021

David Pearce
Executive Director
Mental Health Branch
NSW Ministry of Health
PH624