



Government Gazette

of the State of

New South Wales

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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

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District Court Criminal Practice Note 28

CHILD SEXUAL OFFENCE EVIDENCE PRACTICE NOTE

Commencement

1. This Practice Note replaces Practice Note 11 published on 6 August 2019 and commences on 29 January 2024.

Introduction

2. The purpose of this Practice Note is to outline the listing procedures applicable to proceedings captured by the *Criminal Procedure Amendment (Child Sexual Offence Evidence) Act 2023* (NSW), which inserted ss 294E-294S into the *Criminal Procedure Act 1986* (NSW) ('CP Act').
3. The Court will expect the Prosecution to present an indictment in accordance with s 129 of the CP Act (that is, within 4 weeks of committal for trial) and with an expectation that an indictment be filed in court as soon as possible after committal.
4. At the first mention the Judge may:
 - a. Set dates for:
 - i. The ground rules hearing ('GRH');
 - ii. The pre-recorded evidence hearing ('PREH');
 - iii. The balance of the trial;
 - iv. A callover before the Circuit Judge of the relevant District Court circuit; and
 - v. A callover before the List Judge of the relevant Court at which a date for the balance of the trial may be set.
 - b. Make orders for the appointment of a Witness Intermediary ('WI') and the filing of their report 2 weeks prior to the GRH,
 - c. Make orders for the listing of any legal arguments or other applications as required,

bearing in mind the expectation that the PREH should be held as soon as practicable after the first appearance in court: s 294H CP Act.

5. When a trial date is set, a readiness hearing date is also to be set in accordance with Practice Note 18/19 as applicable.
6. Deadlines for filing and service are to be met in accordance with Practice Note 18/19 as applicable.
7. The GRH is to be conducted before the PREH by the same judge who is to hear the pre-recorded evidence (or another judge of the District Court if required). The GRH will be listed at least one week prior to the PREH, unless it is not practicable to do so, in which case it will be conducted prior to the day on which the PREH is listed.
8. The Prosecution is to file a hearing bundle 7 days before the PREH. That bundle is to include the Indictment, the Crown Case Statement, the recorded interview (disc and transcript) of any witness whose evidence is to be recorded in the PREH (with any necessary edits made), and the GRH transcript. Where agreement has not been reached between the parties on edits to the recorded interview, the bundle will include a list of any proposed edits which require a ruling.
9. The accused is to be arraigned prior to the pre-recorded evidence hearing commencing as that hearing marks the start of the trial.
10. The recorded interview of the child is not to be played at the PREH but will have been viewed by the parties and the presiding judge prior to the listing. At the conclusion of the PREH, the judge will make orders for the timely provision to the Prosecution by the court registry of the recording and transcript of the evidence, to enable checking and editing to take place in time for the commencement of the balance of the trial.
11. Noting that different judges may preside over different parts of the proceedings (s 294I(7) CP Act), the court registry will ensure that all prior rulings are documented and kept on the court file and provided to the parties in a timely manner so that they are available at any subsequent listing.

12. Practitioners should ensure that Legal Aid applications have been lodged and finalised immediately after committal for trial and representatives briefed both for the Crown and Defence will be available for a PREH within approximately 2 months and thereafter at the balance of the trial.

Proceedings committed for trial to Sydney District Court, Parramatta District Court, Penrith District Court and Campbelltown District Court

13. All matters will be listed (by the committing Magistrate) for callover at 9:30am in the Child Sexual Assault List at the District Court at Central, 98 Liverpool Street, Sydney (formerly Central Local Court), on a Monday no later than 14 days after committal for trial. At that callover, the Court may make all necessary orders for listings in accordance with paragraph 4 above.
14. For matters committed for trial to **Sydney** District Court, at the time of that callover, the Court may fix a date for the hearing of the balance of the trial (and make any other necessary case management orders).
15. For matters committed for trial to **Parramatta** District Court, after that callover, the matter will be listed at 9:30am on the first Friday thereafter before the list Judge at Parramatta District Court (or another Judge of the District Court if required) who may fix the date for the hearing of the balance of the trial (and make any other necessary case management orders).
16. For matters committed for trial to **Penrith** District Court, after that callover, the matter will be listed at 9:30am on the first Friday thereafter before the list Judge at Penrith District Court who may fix the date for the hearing of the balance of the trial (and make any other necessary case management orders).
17. For matters committed for trial to **Campbelltown** District Court, after that callover, the matter will be listed at 9:30am on the first Thursday thereafter before the list Judge at Campbelltown District Court who may fix the date for the hearing of the balance of the trial (and make any other necessary case management orders).

Proceedings committed for trial to the following District Courts (which have a resident sitting Judge):

- i. Bathurst

- ii. Coffs Harbour
- iii. Dubbo
- iv. Gosford
- v. Lismore
- vi. Newcastle
- vii. Orange
- viii. Wagga Wagga
- ix. Wollongong

18. The resident Judge of the court (or another Judge of the District Court if required) may make all necessary orders in accordance with paragraph 4 above.

19. The resident Judge of the court (or another Judge of the District Court if required) will preside over the ground rules hearings and the pre-recorded evidence hearing.

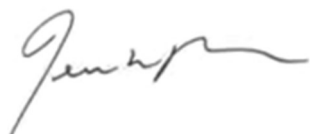
Proceedings committed for trial to the following District Courts (which are circuit courts):

- i. Albury
- ii. Armidale
- iii. Bega
- iv. Bourke
- v. Broken Hill
- vi. Coonamble
- vii. Goulburn
- viii. Grafton
- ix. Griffith
- x. Moree
- xi. Nowra
- xii. Orange
- xiii. Parkes
- xiv. Port Macquarie
- xv. Queanbeyan

xvi. Tamworth

xvii. Taree

20. The Chief Judge of the District Court (or another Judge of the District Court if required) during the circuit callover may make all necessary orders in accordance with paragraph 4 above.
21. The GRH will be conducted at least one week prior to the circuit at which the PREH is to take place, by the Judge who will preside over that circuit (or another Judge of the District Court if required).
22. The PREH should be given a fixed start date within the circuit sitting to enable firm arrangements to be made for the attendance of the child witness, WI and any support person.
23. The Chief Judge may determine from time to time that a circuit judge may make all necessary orders in accordance with paragraph 4 above during the circuit sittings.



The Honourable Justice D M Price AO
Chief Judge of the District Court
30 November 2023

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the names:

Orchard Hills Railway Station – for a railway station located north-east of the intersection of Kent Road and Lansdowne Road, in the suburb of Orchard Hills, Penrith LGA.

Luddenham Railway Station – for a railway station located between Luddenham Road and Warragamba Prospect Pipeline, in the suburb of Luddenham, Penrith LGA.

Bradfield Railway Station – for a railway station located east of Badgerys Creek Road and north of Moore Gully, in the suburb of Bradfield, Liverpool LGA.

The position and extent for these features is recorded and shown within the Geographical Names Register of New South Wales. The proposals can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 8 December 2023 to 12 December 2024. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD
Chair

Geographical Names Board
346 Panorama Ave
BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice of proposal to amend address locality boundaries in Lake Macquarie Local Government Area

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to amend the existing address locality boundaries of Wyee and Wyee Point as shown on map GNB 3506-9A.

The position and extent for these features is recorded and shown within the Geographical Names Register of New South Wales. The map GNB 3506-9A can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 8 December 2023 to 12 January 2024.

Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD
Chair

Geographical Names Board
346 Panorama Ave
BATHURST NSW 2795

LAND TAX MANAGEMENT ACT 1956
Land Tax (including Surcharge Land Tax) Returns for 2024 Tax Year

1. This Order is made under section 12(1) of the *Land Tax Management Act 1956* and section 37 of the *Taxation Administration Act 1996*. The purpose of this Order is to advise persons who own land in New South Wales if and when they are required to lodge an initial return or a variation return in relation to the 2024 land tax year or an earlier tax year.

Persons Who Must Lodge an Initial Return

2. The requirement to lodge an initial land tax return in 2024, as specified in this Order, applies to certain “persons” who are “owners” of land in New South Wales at midnight on 31 December 2023 (or any previous year if paragraph 8 applies). The reference to an “owner” includes a reference to a person who is an owner of land or is deemed or taken to be an owner for land tax purposes by the *Land Tax Management Act 1956*. A “person” includes a company, a trustee, a beneficiary of a trust and a natural person.
3. Under section 12(2) of the *Land Tax Management Act 1956*, the Chief Commissioner of State Revenue (“the Chief Commissioner”) may require any person to lodge a return or further return in circumstances other than those described in this Order.
4. A requirement to lodge a return specified in this Order does not affect a requirement to lodge a return by an earlier date specified by the Chief Commissioner under section 12(2) of the *Land Tax Management Act* or an earlier date specified in any previous Order made under section 12(1).
5. Persons who own land in New South Wales at midnight on 31 December 2023 which is not exempt from land tax must lodge an initial return unless they were assessed and received a land tax notice of assessment for the 2023 land tax year.
6. Persons who are foreign persons for the purposes of surcharge land tax and who own residential land in New South Wales at midnight on 31 December 2023 and have not included the land in a previous return must lodge an initial return, even if the owner believes the land is exempt.
7. Persons who have received a land tax notice of assessment for any land tax year prior to 2024 showing nil tax payable and who have subsequently acquired additional land or an additional interest in land and are the owners of land at midnight on 31 December 2023 which is not exempt from land tax must lodge an initial return.
8. Persons who are liable to be assessed for land tax for any tax year prior to 2024 and have not previously lodged a return for that tax year or have not received a land tax notice of assessment for that tax year must also lodge an initial return.
9. Persons who own land that has previously been exempt from land tax in any tax year prior to 2024 but is not exempt for the 2024 tax year must lodge an initial return.
10. Where land is subject to a trust, and the trustee has not previously lodged a land tax return, the trustee must lodge an initial return on behalf of the trust. If the trustee fails to lodge a return or fails to provide the information about the beneficiaries of the trust, as specified by the form approved by the Chief Commissioner, the trust may be assessed as if it were a special trust.
11. Where land is subject to a trust, an initial return must be lodged by a trustee of the trust disclosing any beneficiaries or potential beneficiaries who are foreign persons.

12. A Land Tax Registration Form is an initial return for the purposes of section 12.

Due Date for Lodgement of Initial Returns

13. Any person who is required by this Order to lodge an initial return must do so by 31 March 2024.
14. Interest and penalty tax may be imposed under the *Land Tax Management Act 1956* and the *Taxation Administration Act 1996* for failing to lodge a return by the due date. Late lodgement interest applies from 1 April 2024 until the date of lodgement of the return.

Persons Who Must Lodge a Variation Return

15. A variation return is required to be lodged by a person who receives an incorrect notice of assessment of land tax. An incorrect notice of assessment of land tax includes, but is not limited to, the following circumstances:
- (a) a foreign person has not been correctly assessed for surcharge land tax.
 - (b) details of land owned by the person as shown on the notice are incorrect (including but not limited to inclusion of land disposed of prior to midnight on 31 December 2023; land acquired prior to midnight on 31 December 2023 that has not been included in the assessment; the percentage interest in land is incorrect for land that is jointly owned; land shown in an assessment is owned by the person in the capacity of trustee but is not shown as such; or an incorrect property description is shown).
 - (c) exempt land has been incorrectly assessed as liable for land tax.
 - (d) liable land has been incorrectly assessed as exempt from land tax.
 - (e) an exemption was previously granted subject to conditions which have not been fulfilled.
 - (f) the calculation of tax is incorrect (being either too high or too low).
 - (g) a special trust has been incorrectly assessed as if it were a fixed trust.
 - (h) a fixed trust has been incorrectly assessed as if it were a special trust.
 - (i) a person who is acting as a trustee has not been assessed in the capacity of trustee.
 - (j) the beneficiaries of a family unit trust have changed since 31 December 2005.
 - (k) the beneficial interests of the beneficiaries of a family unit trust have changed since 31 December 2005.
 - (l) additional land has been acquired by a family unit trust, and the total liable land owned by the trust has a taxable value of more than \$1 million for the tax year during which the land was acquired.
 - (m) a group constituted under section 29 of the *Land Tax Management Act 1956* does not have a member classified and assessed as a concessional company.
 - (n) a group constituted under section 29 of the *Land Tax Management Act 1956* has more than one member classified and separately assessed as a concessional company (note that two or more companies can be correctly classified as joint concessional companies and jointly assessed as such).

- (o) an error occurred in the calculation of the average value of a parcel of land.
- 16. A variation return is required to be lodged if the trustee of a trust that has an interest in land has not previously advised the Chief Commissioner of the existence of the trust. This return will also require the trustee to advise if the trust is a fixed or special trust, and whether the trustee should be regarded as a foreign person for the purposes of surcharge land tax.
- 17. Other than in the case of a special trust, a variation return disclosing details of the beneficiaries of a trust must be lodged by the trustee of a trust unless the trustee has previously advised the Chief Commissioner of the beneficiaries of the trust or the beneficial owners of land owned by the trust. If a trustee fails to comply with this requirement, the Chief Commissioner may classify the trust as a special trust.
- 18. A variation return must be lodged by a trustee of a trust disclosing any beneficiaries or potential beneficiaries who are foreign persons unless the trustee has previously advised the Chief Commissioner that the trust has foreign persons as potential beneficiaries.
- 19. A variation return must be lodged by a trustee of a trust if the trust deed has been amended to exclude a foreign person from being a beneficiary.

Due Date for Lodgement of Variation Returns

- 20. A variation return is required to be lodged by the first instalment date shown on the notice of assessment. If the notice of assessment shows that no tax is payable, the due date for lodgement of a variation return is 40 days after the "Issue Date" shown on the notice.
- 21. Interest and penalty tax may be imposed under the *Land Tax Management Act 1956* and the *Taxation Administration Act 1996* for failing to lodge a return by the due date.

Information about Surcharge Land Tax

- 22. For the purposes of surcharge land tax, a foreign person¹ includes:
 - (a) an individual not ordinarily resident² in Australia; or
 - (b) a corporation in which an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest; or
 - (c) a corporation in which 2 or more persons, each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate substantial interest; or
 - (d) the trustee of a trust in which an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest; or
 - (e) the trustee of a trust in which 2 or more persons, each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate substantial interest; or
 - (f) a discretionary trust which, as at 31 December 2023, does not prevent distributions to potential foreign beneficiaries;
 - (g) a foreign government; or

¹ See ss.104J and 104JA of the *Duties Act 1997* for the meaning of "foreign person"

² See s.104J of the *Duties Act 1997* for the meaning of "not ordinarily resident in Australia"

- (h) a general partner of a limited partnership where:
 - i. an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds at least 20% in the limited partnership, or
 - ii. two or more persons each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate interest of at least 40% in the limited partnership.

Note: Australian Citizens are not foreign persons, irrespective of where they reside.

23. For the purposes of surcharge land tax, residential land means any of the following and does not include any land used for primary production as defined in section 10AA of the *Land Tax Management Act 1956*:
- (a) a parcel of land on which there are one or more dwellings, or a parcel of land on which there is a building under construction that, when completed, will constitute one or more dwellings, or
 - (b) a strata lot if it is lawfully occupied as a separate dwelling, or suitable for lawful occupation as a separate dwelling, or
 - (c) a utility lot if its use is restricted to the owner or occupier of a strata lot described in paragraph 23(b), or
 - (d) a land use entitlement if it entitles the holder to occupy a building, or part of a building, as a separate dwelling, or
 - (e) a parcel of vacant land that is zoned or otherwise designated for use for residential purposes, or principally for residential purposes.
24. A foreign person who jointly owns residential land may be liable for surcharge land tax on the person's proportionate interest in the jointly owned residential land.

How to Lodge a Return

25. A person, including an agent or trustee may satisfy the obligation to lodge an initial return, a variation return or a surcharge return, by entering the required information online at www.revenue.nsw.gov.au/taxes/land/online. To login you will need your client ID and correspondence ID, which can be found on any recent Revenue NSW land tax notice or correspondence.
26. Contact Revenue NSW if you are unable to use the on-line lodgement option and require an alternative means of lodging a return. Revenue NSW's contact details and business hours are published on the website.

Go to www.revenue.nsw.gov.au for more information on land tax and surcharge land tax.

Scott Johnston
Chief Commissioner of State Revenue

Date: 1 December 2023

PIPELINES ACT 1967

**INSTRUMENT OF GRANT OF VARIATION OF LICENCE AREA
FOR PIPELINE LICENCE**

LICENCE NO. 16 – VARIATION NO. 25

East Australian Pipeline Pty Limited (EAPL) (ACN 064 629 009), having been granted Pipeline Licence No.16 under Section 14 of the *Pipelines Act 1967* (the Act) on 28 May 1997, has applied in accordance with the provisions of Section 18 of the Act for a minor variation (s.18(5)) of the licence area by including additional lands as described in Schedule 1.

This application complies with the provisions of the Act and the Pipelines Regulation 2013. I, Penny Sharpe, Minister for Energy, pursuant to Section 19(1) of the Act, do grant Variation No. 25 to Licence No. 16 to EAPL, effective from my signing of this Instrument.

Signed this

3

day of *December* 2023.



**The Hon Penny Sharpe MLC
Minister for Energy**

PIPELINES ACT 1967

NOTIFICATION OF VESTING OF EASEMENTS OVER LANDS

PIPELINE LICENCE NO.16 – VARIATION NO. 25

I, Penny Sharpe, Minister for Energy, pursuant to Sections 21 and 61 of the *Pipelines Act 1967*, hereby declare:

1. That the easements over lands described in Schedule 1 are vested in East Australian Pipeline Pty Limited (ACN 064 629 009) for the purposes of, and incidental to, the construction and operation of Pipeline Licence No.16; and
2. The restrictions as to user set out in Schedule 2 have effect in respect of the lands described in Schedule 1.

Signed this 3 day of December 2023.



The Hon Penny Sharpe MLC
Minister for Energy

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

Yellow Rock Ridge for a suburb called Yellow Rock in the Local Government Areas of Kiama and Shellharbour, as shown on map GNB 2535-4.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 8 December 2023 to 12 January 2024. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD
Chair

Geographical Names Board
346 Panorama Ave
BATHURST NSW 2795

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

Honeykiss Park for a reserve bounded by Rosebery Avenue, Spring Street and Confectioners Way in Rosebery, Sydney Local Government Area.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 8 December 2023 to 12 January 2024. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD
Chair

Geographical Names Board
346 Panorama Ave
BATHURST NSW 2795



Anti-Discrimination
New South Wales

Anti-Discrimination Act 1977

EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 8 and 51 of the *Anti-Discrimination Act 1977* (NSW) to McCabes Lawyers Pty Ltd to advertise, recruit and employ up to 2 internships per year for Aboriginal and Torres Strait Islander persons only.

This exemption will remain in force for 10 years.

Date: 30 November 2023

Katherine Nelson
Acting Manager, Governance & Advice
Delegate of the President
Anti-Discrimination NSW



Anti-Discrimination
New South Wales

Anti-Discrimination Act 1977

EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), the exemption order granted to Macquarie University (Macquarie Business School) on 10 August 2023 is HEREBY VARIED to read:

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 31A and 51 of the *Anti-Discrimination Act 1977* (NSW) to Macquarie University (Macquarie Business School) to offer, advertise and facilitate scholarships, prizes, mentorships, internship and traineeship opportunities for individuals who identify as women in the fields of: accounting, actuarial studies, economics, business management and marketing, and finance.

This exemption will remain in force for 10 years.

Date: 5 December 2023

Katherine Nelson
**Acting Manager, Governance & Advice
Delegate of the President
Anti-Discrimination NSW**

adbcontact@justice.nsw.gov.au | Locked Bag 5000, Parramatta NSW 2124
Phone: 02 9268 5555 | Free call: 1800 670 812
antidiscrimination.nsw.gov.au



Anti-Discrimination Act 1977

EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 33 and 51 of the *Anti-Discrimination Act 1977* (NSW) to Turnaround Management Association Australia Limited to advertise, offer and facilitate the following for women only, who are members of Turnaround Management Association Australia Limited (TMA):

- Educational, career, leadership and networking programs and initiatives.
- 2 training programs per year.
- 2 scholarships to attend the TMA Australian National Conference (national scholarships) per year.
- 1 scholarship to attend a TMA Global Conference in the United States (international scholarship) per year.

This exemption will remain in force for 5 years.

Date: 5 December 2023

A handwritten signature in black ink, appearing to read "K Nelson", is positioned above the printed name.

Katherine Nelson
A/g Manager, Governance & Advice
Delegate of the President
Anti-Discrimination NSW

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

Dyanmila Park for a reserve located on the corner of Elara Boulevard and Northbourne Drive, Marsden Park, Blacktown Local Government Area (LGA).

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 8 December 2023 to 12 January 2024. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD
Chair

Geographical Names Board
346 Panorama Ave
BATHURST NSW 2795

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 76

TAKE NOTICE that the registration of the following associations is cancelled by this notice pursuant to section 76 of the Associations Incorporation Act 2009.

AUS - FIJI CENTRE INCORPORATED	INC1500875
AUSTRALIA CHINA AGRICULTURE ASSOCIATION INCORPORATED	INC1400120
AUSTRALIA CHINA ENTREPRENEURS DEVELOPMENT ASSOCIATION INCORPORATED	INC1400209
AUSTRALIA CHINA FRIENDSHIP AND DEVELOPMENT ASSOCIATION (NSW) INCORPORATED	INC1400622
AUSTRALIA CHINA INTERNATIONAL BUSINESS ASSOCIATION INCORPORATED	INC1400479
AUSTRALIA CHINA WINE ASSOCIATION INCORPORATED	INC1300696
AUSTRALIA TAOIST ASSOCIATION INCORPORATED	INC1400375
AUSTRALIA XINJIANG SONG & DANCE TROUPE INCORPORATED	INC1601188
AUSTRALIAN CHINESE SOCCER FANS ASSOCIATION (ACSFA) INCORPORATED	INC1400174
AVAGO EQUESTRIAN ASSOCIATION INCORPORATED	INC1300501
CARE RIDERS INC	INC1400607
COOK MEMORIAL TEAM INCORPORATED	INC1400216
FUTURE CITIES COLLABORATIVE AUSTRALIA INCORPORATED	INC1601724
HASTINGS RIVER OYSTER FARMERS LANDCARE GROUP INCORPORATED	INC1601479
NORTHERN UNITED JUNIOR RUGBY LEAGUE FOOTBALL CLUB INCORPORATED	INC1301485
SYDNEY HILLS FOOTBALL ASSOCIATION INCORPORATED	INC1401786

Cancellation is effective as at the date of gazettal.

Dated this 6th day of December 2023.

Diane Duggan
Delegate of the Commissioner
NSW Fair Trading

CHARITABLE TRUSTS ACT 1993

NOTICE UNDER SECTION 12

**CY PRES SCHEME RELATING TO THE ESTATE OF THE LATE ARTHUR
BUTLER**

Section 12(1)(a) of the *Charitable Trusts Act 1993* permits the Attorney General to establish a cy pres scheme to alter the original purpose of a charitable trust. Section 9(1) permits the application of trust property cy pres where the spirit of the original trust can no longer be implemented.

Under clause 4 of the Will of the late Arthur Butler, dated 8 February 1975 (**Will**), Mr Butler bequeathed the balance of his estate (**Estate**) to the “Margaret Reid Hospital St Ives” to be distributed after the last of Gladwys Butler, Phillip Butler and Thea Butler died. The life interests in the Estate ended with the death of Thea Butler on 20 July 2021. As at March 2023, the value of the Estate is \$63,055.

The Margaret Reid Orthopaedic Hospital for Crippled Children in St Ives (**Margaret Reid Hospital**) was a specialist orthopaedic hospital for children, a disability institution, a convalescent hospital and provided outpatient services. The gift under the Will cannot be applied to the Margaret Reid Hospital, as it ceased operations in 1981. Accordingly, the original terms of the trust have become impossible to fulfil.

The bequest to Margaret Reid Hospital is considered to be a gift for the charitable purposes of the hospital and appears to have been intended to support the continuation of the services provided to its patients. As such, the trustees hold the residue of the Estate on trust for the charitable purposes of the Margaret Reid Hospital, which fall within the charitable purposes of the relief of the impotent and purposes beneficial to the community.

The Margaret Reid Hospital previously operated an Orthopaedic Appliance Service providing services such as specialist orthotics products, orthopaedic shoes, special seating and modified wheelchairs to people with disabilities.

The organisation previously known as the New South Wales Crippled Children’s Society, that operated the Hospital, has changed its name several times and is currently known as the Northcott Society. Northcott Society has been identified as providing an Orthotics and Custom Footwear service, which provides children with customised orthotics, orthoses and medical grade footwear. This appears to be very closely aligned with the Orthopaedic Appliance Service previously operated by the Margaret Reid Hospital.

The trustees of the Estate have no objection to a cy pres scheme applying the funds for the benefit of the Northcott Orthotics and Custom Footwear service.

In these circumstances, the Solicitor General, as the Attorney General’s delegate, has approved the establishment of a cy pres scheme so that the bequest to Margaret Reid Hospital is to be held on trust by the Northcott Society to be used for children accessing its Orthotics and Custom Footwear service.

Pursuant to section 12 of the *Charitable Trusts Act 1993*, I hereby order that a cy pres scheme be established whereby the original purposes of the charitable trust known as the Will of the late Arthur Butler are altered to enable the funds to be applied for the benefit of the Northcott Orthotics and Custom Footwear service.

The order will take effect 21 days after its publication in the NSW Government Gazette, in accordance with section 16(2) of the *Charitable Trusts Act 1993*.

Date of Order: 6 December
2023

SIGNED



M G SEXTON SC

Solicitor General (Under delegation from the Attorney General)



Anti-Discrimination Act 1977

EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 8, 25 and 51 of the *Anti-Discrimination Act 1977* (NSW) to Team Global Express Pty Ltd to designate, advertise, and recruit up to:

- 60 trainee positions per year for females only, in pursuit of achieving a 30% female workforce participation rate.
- 12 trainee positions per year for Aboriginal and/or Torres Strait Islander persons only.

This exemption will remain in force for 5 years.

Date: 6 December 2023

A handwritten signature in black ink, appearing to read "K Nelson", is positioned above the printed name.

Katherine Nelson
A/g Manager, Governance & Advice
Delegate of the President
Anti-Discrimination NSW

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 74

TAKE NOTICE that the registration of the following associations is cancelled by this notice pursuant to section 74 of the Associations Incorporation Act 2009.

AUSTRALIAN SIGN LANGUAGE INTERPRETERS ASSOCIATION (NSW) INCORPORATED	INC9880303
BILPIN NEWSLETTER INCORPORATED	INC9883735
GRAFTON CITY SOCCER CLUB INC	Y0068440
GREAT LAKES COMMUNITY SHED INC	INC2100827
MACS FRIENDS HELPING NEIGHBOURS INCORPORATED	INC2000025
STREET ROLLER HOCKEY CHICKS CLUB INC	INC1801782
THE RECREATION FOUNDATION INCORPORATED	INC9879719

Cancellation is effective as at the date of gazettal.

Dated this 6th day of December 2023.

Diane Duggan
Delegate of the Commissioner
NSW Fair Trading

SIRA

Guidelines for the Provision of Relevant Services (Health and Related Services)

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About the Guidelines

Guideline-making powers

The *Guidelines for the Provision of Relevant Services (Health and Related Services)* (the Guidelines) are made under section 26E of the *State Insurance and Care Governance Act 2015* (the Act), which provides that the State Insurance Regulatory Authority (SIRA) may issue guidelines concerning the provision of **relevant services** by **relevant service providers (RSPs)** as defined in section 26A of the Act.

Interpretation

The Guidelines are to be read and applied together with the relevant provisions of the:

- a) *State Insurance and Care Governance Act 2015* (the Act), the *State Insurance and Care Governance Regulation 2021* (the Regulation), and
- b) **workers compensation legislation**, the **motor accident legislation** and the regulations and guidelines made under those Acts.

Words defined in the Acts, or the Regulations have the same meaning in the Guidelines.

Note: The motor accident legislation means the *Motor Accident Injuries Act 2017*

Commencement

The Guidelines will take effect and apply to the provision of **relevant services** by **RSPs** under the **workers compensation legislation** and **motor accident legislation** on and from 8 December 2023 until they are amended, revoked, or replaced in whole or part.

Application of the Guidelines

RSPs must comply with applicable clauses in the Guidelines.

Table 1 in Part 8 sets out which Parts of the Guidelines apply to certain **RSPs** under the **motor accident** and **workers compensation legislation**.

Each Part of the Guidelines also includes a summary of the application of the Part to **RSPs** under the motor accident and workers compensation legislation.

RSPs will be afforded procedural fairness by SIRA when responding to non-compliance with the application of the Guidelines.

Purpose of the Guidelines

The purpose of the Guidelines is to establish:

- a) a code of conduct
- b) service standards and requirements for **RSPs** in relation to specific **relevant services**, and
- c) invoicing and billing requirements for **RSPs**.

Compliance with the Guidelines

SIRA will monitor and review compliance with the Guidelines in line with its statutory functions.

Part 1: Code of conduct

For **relevant services** provided under the **motor accident legislation**, Part 1 applies to all **RSPs** except when the **RSP** is providing a **medico-legal service** (instead these **RSPs** must adhere to existing requirements in Part 8 of the *Motor Accident Guidelines*)

For **relevant services** provided under the **workers compensation legislation**, Part 1 applies to all **RSPs**, except:

- **RSPs** who are approved by SIRA to provide the following **relevant services** under the **workers compensation legislation** (these **RSPs** must adhere to the codes of conduct set out in their respective SIRA approval frameworks/guidelines):
 - i. exercise physiology
 - ii. chiropractic
 - iii. osteopathy
 - iv. physiotherapy
 - v. psychology
 - vi. counselling
 - vii. workplace rehabilitation
 - viii. hearing services
 - ix. injury management consultations
 - x. independent consultations.
- **RSPs** providing **independent medical examination services** (instead, these **RSPs** are required to adhere to specific requirements set out in Part 4 of the Guidelines)
- **RSPs** providing **assessment of permanent impairment services** (instead, these **RSPs** must adhere to an existing specific code of conduct, set out in Part 3 of Chapter 1 of the *NSW workers compensation guidelines for the evaluation of permanent impairment*).

1.1 An **RSP** must provide **relevant services** in a manner that complies with the code of conduct set out in clause 1.2.

1.2 An **RSP** is to:

- a) be appropriately registered, accredited, hold appropriate professional membership, and be qualified and experienced to provide the relevant service
- b) act in a professional, ethical, honest, and impartial way
- c) treat an injured person with empathy, respect, and **culturally safe practice**
- d) comply with relevant provisions of the Guidelines, and relevant provisions of the **workers compensation** and **motor accident legislation** and the regulations and guidelines made under those Acts
- e) not engage in **overservicing** or engage in behaviour that leads to overbilling or delivering more services than necessary
- f) not provide, bill, or refer for **relevant services**, in a misleading or deceptive way intended to result in financial or personal gain of the **RSP** or another person or entity where the **RSP** or the other person is not entitled to the financial or personal gain
- g) identify perceived, potential, and actual conflicts of interest and manage them to ensure services provided best meet the needs of injured people. Where there is an actual conflict, declare it to the injured person concerned, the referrer and the insurer concerned (or the Lifetime Care and Support Authority of NSW in exercising functions under the *Motor Accident Injuries Act 2017*)
- h) comply with the applicable laws in protecting injured person's personal and health information

- i) work collaboratively and communicate in an effective and timely manner with members of the injured person's **support team** (including the insurer) about the injured person's injury, treatment, and recovery
- j) participate in **peer reviews** of the injured person's injury, treatment, and recovery, if the **RSP** is a provider of **allied health services**
- k) respond to a request from SIRA for information relating to compliance with the Act, **workers compensation legislation** or **motor accident legislation** or the regulations or guidelines made under those Acts in the form, time and manner reasonably required and requested (including consistency with privacy legislation) by SIRA from time to time.

Part 2: Requirements for telehealth services

Part 2 applies to **RSPs** providing **relevant services** that are telehealth services under the **motor accident legislation** and the **workers compensation legislation** except **RSPs** who are providing:

- a **medico-legal service** under the **motor accident legislation**
- **independent medical examination services** and **assessment of permanent impairment services** under the **workers compensation legislation**.

- 2.1 Telehealth services means services that use videoconferencing or telephone as an alternative to an in-person consultation.
- 2.2 A telehealth service must be conducted by videoconference unless that medium is unavailable or determined to be inappropriate following consideration of the factors outlined in clause 2.5 below. In those cases, telehealth services can instead be conducted by telephone.
- 2.3 Telehealth services must not be provided by email, SMS, or through an app. These electronic forms of communication may be used in conjunction with the delivery of telehealth services conducted by videoconference (or telephone).
- 2.4 Telehealth services must be provided in combination with in-person services unless the services are:
- a) psychiatric treatment services, or
 - b) **allied health mental health treatment services**, or
 - c) services specified as being delivered exclusively by telehealth and pre-approved by the insurer managing the injured person's claim.
- These exempt services can be provided by telehealth only, provided the requirements of clause 2.5 are met.
- 2.5 An **RSP** must only provide telehealth services to an injured person that comply with the following requirements:
- a) the injured person concerned requests or consents to participate in a telehealth service, and
 - b) the **RSP** determines that service provision by telehealth is appropriate for the injured person concerned following consideration of the following factors¹:
 - i. whether a physical assessment or treatment is required
 - ii. whether it will compromise worker outcomes
 - iii. availability of support at the injured person's location
 - iv. availability and access to a suitable device e.g., videoconferencing units/systems or a personal device capable of videoconferencing

¹ Adapted from Page 20, *Virtual Care in Practice*, NSW Agency for Clinical Innovation

- v. ability of the injured person to participate, considering any physical, mental, social, and cognitive barriers
- vi. ability to schedule telehealth session within the timeframes for a service
- vii. the injured person's access to fast secure internet connection and sufficient internet or mobile data quota/allowance
- viii. the injured person's capability/capacity to access care this way.

Part 3: Administrative requirements for prescription of medication

Part 3 applies to:

- **RSPs** who are health practitioners authorised to prescribe medication under Australian and NSW Government requirements, and who are providing **relevant services** under the **motor accident legislation** and the **workers compensation legislation**.
- **RSPs** who provide **relevant services** under the **motor accident legislation** and the **workers compensation legislation** that are pharmaceutical services and that include dispensing medication, including private hospitals.

- 3.1 The following administrative procedures apply to an **RSP** prescribing or dispensing medication to an injured person.
- 3.2 The **RSP** must prescribe medications through the Pharmaceutical Benefits Scheme (PBS) where clinically appropriate and available.
- 3.3 However, the **RSP** may provide a private prescription (not through the PBS) when:
- a) the medication is not available on the PBS, or
 - b) the medication is available on the PBS, but the injured person does not meet the criteria for PBS prescribing, or
 - c) the quantity of medication or number of repeats being prescribed for a medication available through the PBS is outside the PBS prescribing criteria, but can be clinically justified by the prescribing practitioner; or
 - d) workers compensation scheme only: pre-approval has been obtained from the insurer to prescribe it privately (after the first month from the date of injury).²
- 3.4 If an **RSP** privately prescribes a high-risk medication (e.g., opioids, medication-assisted treatment of opioid dependency, injectable narcotics, benzodiazepines, Z-drugs, or medicinal cannabis) or drugs of addiction (Schedule 8³), the **RSP** must provide a written clinical rationale to the insurer that explains why:
- a) they are prescribing a medication that is not available through the PBS; or
 - b) if it is available through the PBS, why they are prescribing it privately.⁴

² In the workers compensation scheme, pre-approval from the insurer is not required for dispensed prescription drugs and over-the-counter pharmacy items prescribed for the injury by the nominated treating doctor or medical specialist for the first month from date of injury – see the *Workers Compensation Guidelines*.

³ Schedule 8 of the *Poisons Standard October 2022*, or the *Poisons Standard* in effect at the time.

⁴ In the workers compensation scheme, high risk medications prescribed using a private prescription within the first month from date of injury do not require a clinical rationale.

Part 4: Requirements for provision of independent medical examination services under the workers compensation legislation

Part 4 applies to **RSPs** providing **relevant services** under the **workers compensation legislation** which are **independent medical examination services** but not **assessment of permanent impairment services**.

NOTE: Corresponding requirements for an **RSP** providing a **medico-legal service** under the **motor accident legislation**, can be found in Part 8 of the *Motor Accident Guidelines*.

4.1 In the provision of **relevant services** that are **independent medical examination services**, but not **assessment of permanent impairment services**, **RSPs** must:

- a) comply with all legal requirements for practice, including relevant policies and codes of conduct
- b) comply with the *Procedural Direction PIC4 – Expert Witness Evidence* and any subsequent procedural directions issued by the President of the Personal Injury Commission established under the *Personal Injury Commission Act 2020* relating to expert witness evidence, and the code of conduct in Schedule 7 to the *Uniform Civil Procedure Rules 2005* and promptly notify SIRA of any compliance breaches
- c) comply with the standards and conduct for medico-legal consultations, examinations, and reports, as set out in the Medical Council of NSW's *Guideline for Medico-Legal Consultations and Examinations* in effect at the time of the relevant service. Where the *Guideline for Medico-Legal Consultations and Examinations* refers to the Medical Board of Australia's *Good Medical Practice: A Code of Conduct for Doctors in Australia*, this only applies to **RSPs** who are medical practitioners under the *Health Practitioner Regulation National Law (NSW)*
- d) act without bias and in a way that does not give rise to an apprehension of bias in the performance of their responsibilities
- e) act in an ethical, professional, and considerate manner when examining injured people and practise procedural fairness when conducting medical assessments and writing reports. This includes respectful communication with injured people and considering their individual needs, providing impartial assessments, and ensuring that injured people are given the opportunity to explain any inconsistencies observed during an examination or in supporting material
- f) comply with all privacy obligations including under the *Health Records and Information Privacy Act 2002 (NSW)* and the *Privacy Act 1988 (Cth)*
- g) not ask for or accept any inducement, gift, or hospitality from individuals or companies, or enter arrangements that could be perceived to provide inducements, that may affect, or be seen to affect, the **RSP's** ability to undertake the role of **providing independent medical examination services** in an impartial and unbiased manner
- h) not engage in activities or publicly express opinions that might be perceived to compromise the practitioner's ability to undertake the role of providing **independent medical examination services** in an impartial and unbiased manner
- i) have access to the necessary resources and infrastructure to do all administrative activities necessary for the role.

Part 5: Billing requirements for the provision of **relevant services** under the workers compensation legislation

Part 5 applies to all **RSPs** providing **relevant services** under the **workers compensation legislation**, except as provided below in clause 5.1 (b) and (d).

5.1 **RSPs** providing **relevant services** under the **workers compensation legislation**:

- a) must not request pre-payment of fees for reports and services from the insurer
- b) must not directly bill **relevant services** to an injured worker who has already lodged a claim for the injury (excluding providers of **independent medical examination services** and/or providers of **assessment of permanent impairment services**)
- c) where the maximum amount of an employer's liability has been fixed under a SIRA fees order made under ss61 – 63A of the 1987 Act or s339 of the 1998 Act, must not:
 - i. bill an amount that is above the maximum amount fixed in the relevant fees order⁵
 - ii. charge the injured person any additional or gap fee
- d) must not charge a fee for cancellation or non-attendance by an injured worker for treatment services (excluding RSPs as defined in Clause 4A(1)(za) of the Regulation).

Part 6: Invoicing requirements for relevant services under the workers compensation legislation (excluding pharmaceutical services)

Part 6 applies to all **RSPs** providing **relevant services** under the **workers compensation legislation**, excluding **RSPs** providing pharmaceutical services that involve dispensing medication (see the requirements in Part 7 instead).

NOTE: Corresponding requirements for **RSPs** providing **relevant services** under the **motor accident legislation** can be found in Part 4 of the *Motor Accident Guidelines*.

6.1 The invoicing requirements in clause 6.2 only apply to **relevant services** delivered under the **workers compensation legislation**.

6.2 Invoices for **relevant services** rendered must:

- a) be submitted within 30 calendar days of the service provided
- b) include:
 - i. the injured worker's first and last name, and claim number
 - ii. payee name, address, telephone number and email address
 - iii. payee Australian Business Number (ABN)
 - iv. name of the **relevant service provider** who delivered the relevant service
 - v. in the case of **medical practitioner** services, the provider's:
 - Australian Health Practitioner Regulation Agency (AHPRA) number, and
 - Medicare provider number (unless not registered with Medicare).
 - vi. in the case of **allied health services**, the following provider numbers:
 - the provider's SIRA approval number (where applicable), and
 - the provider's AHPRA number/professional association accreditation/membership number
 - in the case of allied health services provided interstate by a service provider who doesn't have a SIRA approval number, the service provider number INT0000 must be included on the invoice instead
 - in the case of allied health services provided to exempt workers, by a service provider who doesn't have a SIRA approval number, the service provider number EXT0000 must be included on the invoice instead.
 - vii. in the case of private hospital services, the service's:
 - Medicare Benefits Schedule item (if applicable)
 - theatre banding (if applicable):

⁵ SIRA WC health-related fees orders and fee and practice requirements are published on the SIRA website

- o if the invoice is for a higher-banded procedure which requires a complexity certificate, the certificate of complexity must accompany the invoice.
 - theatre duration (if applicable).
- viii. in the case of invoices for surgery:
 - a detailed operation report including a description of the initial injury and an outline of the mechanism of injury, time surgery commenced and finished, intra-operative findings and the procedures performed, including structures that were repaired (stating the anatomic location) and technique of repair.
- ix. relevant SIRA payment classification code or Australian Medical Association (AMA) Fees List item number (where applicable)
- x. service cost for each SIRA payment classification code or AMA Fees List item number and service duration (if applicable)
- xi. date of service
- xii. date of invoice (must be on the day of or after last date of service listed on the invoice).

Part 7: Invoicing requirements for pharmaceutical services

Part 7 applies to **RSPs** providing **relevant services** that are pharmaceutical dispensing services under the **workers compensation legislation** and the **motor accident legislation**, including private hospitals.

Part 7 does not apply to **RSPs** invoicing for medication management and review services (as defined in Clause 4A(1)(zc) of the Regulation) under the **workers compensation legislation** or the **motor accident legislation**. These **relevant services** should be invoiced as per the requirements in Part 6 of the Guidelines (**workers compensation legislation**) or the *Motor Accident Guidelines* (**motor accident legislation**).

7.1 The invoicing requirements for pharmaceutical services in clause 7.2 apply to **relevant services** delivered under the **workers compensation legislation** and **motor accident legislation**.

7.2 An invoice for **relevant services** from a registered pharmacy must include the following information:

- a) pharmacy name and street address
- b) dispensing pharmacist's name
- c) pharmacy ABN
- d) invoice number and date
- e) total amount charged
- f) injured worker's name, address and claim number (or date of birth and date of injury)
- g) date of service (date dispensed)
- h) PBS item code (for PBS dispensed medications)
- i) a copy of the original script for medications that are available on the PBS but are dispensed privately (non-PBS), and a copy of the repeat prescription where applicable
- j) full description of the medication (including script number, brand name, form)
- k) quantity of medication dispensed
- l) strength of the medication dispensed
- m) prescriber name/address/prescriber number
- n) amount charged per item.

Part 8: Application of the Guidelines by relevant service/provider

8.1 Table 1 sets out, by **relevant service**/provider and by scheme (workers compensation (WC) or motor accident (MA)), the application of the different Parts of the Guidelines. **RSPs** must comply with applicable clauses in the Guidelines.

8.2 **RSPs** should also note the content in the ‘About the Guidelines’ section of the Guidelines.

Table 1

	Relevant service/provider	Scheme	Which Parts apply
1.	Administrative services relating to the following – <ul style="list-style-type: none"> i. Referrals, including receiving referrals from or making referrals to, or on behalf of, a health practitioner, ii. Administrative functions associated with producing medical evidence relating to a person’s injury, functioning or impairment, iii. Access to medical documents, including medical certificates or radiology or medical imaging iv. Centralisation or coordination of referrals or appointments and other administrative functions. (Clause 4A(1)(zb) of the State Insurance and Care Governance Regulation 2021)	Workers Compensation (WC)	Part 1, Part 2, Part 5, Part 6, Part 8.
		Motor Accident (MA)	Part 1, Part 2, Part 8.
2.	Aids and appliances	WC/MA	See ‘Services provided to injured persons relating to the provision and maintenance of aids, appliances or prostheses’, row 40.
3.	Assessments of permanent impairment (Clause 4A(1)(za)(ii) of the State Insurance and Care Governance Regulation 2021)	WC	Part 5 (except 5.1 (b) and 5.1 (d)), Part 6, Part 8.
		MA	Does not apply - see row 23
4.	Audiology and audiometry services (Clause 4A(1)(a) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
5.	Chinese medicine services (Clause 4A(1)(b) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
6.	Chiropractic services (Clause 4A(1)(c) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.

	Relevant service/provider	Scheme	Which Parts apply
			N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
7.	Counselling services (Clause 4A(1)(d) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
8.	Dental services (Clause 4A(1)(e) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 3 (where authorised), Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 3 (where authorised), Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
9.	Dietetics and nutrition services (Clause 4A(1)(f) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
10.	Domestic assistance services provided to injured persons, including household cleaning and laundry, lawn or garden care and transport services (Clause 4A(1)(x) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 5, Part 6, Part 8.
		MA	Part 1, Part 8.
11.	Exercise physiology services (Clause 4A(1)(g) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
12.	Facilitating discussions between an injured person and doctors, insurers, employers, and other service providers to manage the rehabilitation of the injured person (i.e., an injury management consultant) (Clause 4A(1)(za)(iv) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5 (except for 5.1(d)), Part 6, Part 8.
		MA	N/A
13.	Health practitioners authorised to give evidence in the CTP scheme	MA	The Guidelines do not apply when the RSP is providing medico-legal services (see row 23)
14.	Hearing service providers	WC/MA	See 'Audiology and audiometry services', row 4.
15.	Independent consultants	WC	See 'Peer review' row 29.
16.	Injury management consultants	WC	See 'Facilitating discussions', row 12
17.	Independent medical examinations	WC	See 'Medical opinion on the treatment or cause of an injury', row 19.
		MA	Does not apply (see row 23).
18.	Massage therapy services (Clause 4A(1)(h) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.

	Relevant service/provider	Scheme	Which Parts apply
19.	Medical opinion on the treatment or cause of an injury (i.e. an independent medical examination, but not an assessment of permanent impairment) (Clause 4A(1)(za)(i) of the State Insurance and Care Governance Regulation 2021)	WC	Part 4, Part 5 (except 5.1(b) and 5.1(d)), Part 6, Part 8.
		MA	Does not apply (see row 23).
20.	Medical radiation practice services (Clause 4A(1)(i) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
21.	Medical services (Clause 4A(1)(j) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
22.	Medication management and review, including the assessment and analysis of medication use, cost and prescriber behaviour (Clause 4A(1)(zc) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
23.	Medico-legal services	WC	See 'Medical opinion on the treatment or cause of an injury', row 19.
		MA	No part of the Guidelines applies. Refer to Part 8 of the <i>Motor Accident Guidelines</i>
24.	Nursing services (Clause 4A(1)(k) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
25.	Occupational therapy services (Clause 4A(1)(l) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
26.	Optometry services	WC	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 5, Part 6, Part 8.

	Relevant service/provider	Scheme	Which Parts apply
	(Clause 4A(1)(m) of the State Insurance and Care Governance Regulation 2021)	MA	Part 1, Part 2, Part 3 (where authorised to prescribe medication), Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
27.	Osteopathy services (Clause 4A(1)(n) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
28.	Patient transport services (Clause 4A(1)(o) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 5, Part 6, Part 8.
		MA	Part 1, Part 8.
29.	Peer review (i.e., independent consultant) (Clause 4A(1)(za)(iii) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5 (except 5.1(d)), Part 6, Part 8.
		MA	N/A
30.	Permanent impairment assessors	WC/MA	See 'Assessments of permanent impairment', row 3.
31.	Personal care	WC/MA	See 'Domestic assistance services provided to injured persons, including household cleaning and laundry, lawn or garden care and transport services', row 10.
32.	Pharmaceutical services (Clause 4A(1)(p) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 3, Part 5, Part 7, Part 8.
		MA	Part 1, Part 2, Part 3, Part 7, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
33.	Physiotherapy services (Clause 4A(1)(q) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
34.	Podiatry services (Clause 4A(1)(r) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
35.	Private hospital and day surgery services, including in-patient and out-patient services (Clause 4A(1)(y) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 3, Part 5, Part 6, Part 7, Part 8.
		MA	Part 1, Part 2, Part 3, Part 7, Part 8.

	Relevant service/provider	Scheme	Which Parts apply
36.	Psychology services (Clause 4A(1)(s) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8. N.B.: The Guidelines do not apply when the RSP is providing medico-legal services (see row 23).
37.	Rehabilitation services (Clause 4A(1)(t) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8. NB: for workplace rehabilitation service providers, see row 41 instead.
		MA	Part 1, Part 2, Part 8.
38.	Social work services (Clause 4A(1)(u) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8. N.B. If the services are counselling services provided by a social worker approved by SIRA to provide counselling services, see row 7 instead.
		MA	Part 1, Part 2, Part 8.
39.	Speech therapy services (Clause 4A(1)(v) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
40.	Services provided to injured persons relating to the provision and maintenance of aids, appliances, or prostheses, including the following — i. Artificial body parts or other artificial aids, ii. Aids for activities of daily living, iii. Mobility aids, iv. Equipment provided as part of treatment or therapy services (Clause 4A(1)(w) of the State Insurance and Care Governance Regulation 2021)	WC	Part 1, Part 2, Part 5, Part 6, Part 8.
		MA	Part 1, Part 2, Part 8.
41.	Workplace rehabilitation services (Clause 4A(1)(z) of the State Insurance and Care Governance Regulation 2021)	WC	Part 2, Part 5, Part 6, Part 8
		MA	N/A

Glossary

In the Guidelines:

- a) **allied health service/s:** means **relevant services** prescribed in clause 4A(1) (c) chiropractic, (d) counselling, (f) dietetics and nutrition), (g) exercise physiology, (l) occupational therapy, m) massage therapy, (n) osteopathy, (q) physiotherapy, (r) podiatry, (s) psychology, (u) social work, and (v) speech therapy of the Regulation.
- b) **allied health mental health services:** means **relevant services** prescribed in clause 4A(1)(d) counselling, (s) psychology and (u) social work of the Regulation.
- c) **assessment of permanent impairment services:** means **relevant services** prescribed in clause 4A(1)(za)(ii) of the Regulation. For the purposes of the Guidelines this applies to services provided under the workers compensation legislation only.
- d) **culturally safe practice:** means **relevant services** are delivered by the **RSP** with knowledge of how their own culture, values, attitudes, assumptions, and beliefs influence their interactions with injured people and families, the community, and colleagues⁶
- e) **direction:** means a direction given under section 26D of the Act
- f) **independent medical examination services:** means **relevant services** prescribed under clause 4A(1)(za)(i) of the Regulation. For the purposes of the Guidelines this applies to services provided under the workers compensation legislation only.
- g) **medico-legal services:** means when the **RSP** is providing a medico-legal **relevant service** under the **motor accident legislation**, including in respect of the giving of evidence as set out in s 7.52 of the *Motor Accident Injuries Act 2017*, about the injured person related to the injury resulting from the motor accident concerned.
- h) **motor accident legislation:** for the purposes of the Guidelines means the *Motor Accident Injuries Act 2017*.
- i) **overservicing:** means a pattern of **relevant service** provision that appears excessive when compared to the similar **relevant service** provided by an **RSP's** peers (being practitioners in the same profession providing the same or similar treatment for the same or similar injuries), taking into account factors such as the complexity/severity of the injuries being treated.
- j) **peer review services:** means **relevant services** prescribed in clause 4A(1)(za)(iii) of the Regulation.
- k) **relevant services:** means services prescribed in clause 4A of the Regulation provided in connection with a claim under the workers compensation or motor accidents legislation.
- l) **relevant service provider (RSP):** means a provider of **relevant services** prescribed in clause 4A of the Regulation.
- m) **support team:** a multidisciplinary team that may include the employer, insurer, doctor, allied health practitioner, rehabilitation provider and other **RSPs** providing treatment, care and support to the injured person.
- n) **workers compensation legislation:** for the purposes of the Guidelines means the *Workers Compensation Act 1987* (1987 Act) and the *Workplace Injury Management and Workers Compensation Act 1998* (1998 Act).

⁶ Adapted from the explanations of **culturally safe practice** in the AHPRA & National Boards *Code of conduct*; the Medical Board/AHPRA *Good medical practice: a code of conduct for doctors in Australia*; and the Nursing and Midwifery Board/AHPRA *Code of conduct for nurses*.

Disclaimer

This publication may contain information that relates to the regulation of workers compensation insurance, motor accident compulsory third party (CTP) insurance and home building compensation in NSW. This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals, or as a substitute for legal advice.

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ORDER UNDER SECTION 5 OF THE MOTOR SPORTS EVENTS ACT 2022

Order Regarding Motor Vehicle Racing at Mt Panorama

I, the Hon Stephen Kamper, Minister for Sport, pursuant to section 5 of the *Motor Sports Events Act 2022*, having taken advice from the Office of Sport and consulted with Bathurst Regional Council, and having considered public submissions, do by this Order, effective at the time of publication in the New South Wales Government Gazette:

1. State that Bathurst Regional Council is the entity entitled to apply for a motor race authorisation to conduct motor racing at Mount Panorama at Bathurst, pursuant to s5(1)(c)(i);
2. Declare the event area pursuant to s5(1)(a) to be the area within the solid blue lines as set out Schedule 1 of this Order;
3. Do revoke that part of my Order dated 7 August 2023 that relates to the Bathurst 12 Hour and in its place declare pursuant to s5(1)(b) that the event period is 16-25 February 2024 and the event is to known as the Bathurst SuperFest.
4. Require pursuant to s5(1)(d) that Bathurst Regional Council make any such application(s) in writing to the Office of Sport by the time requested and using the application form approved by the Executive Director, Policy and Planning, Office of Sport;
5. Specify that the Office of Sport is the government coordinating agency for the purpose of s5(1)(e).

The Hon Stephen Kamper MP Minister for Sport

Signed this 5th day of December 2023

Schedule 1 – Event Area Map

