

Government Gazette

of the State of

New South Wales

Number 260 - Parliament, Ministerial, Courts and Police

Friday, 27 June 2025

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

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of each page of the notice and can be used as a reference for that notice. For example, [NSWGG-2024-10-1].

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW Government Gazette website (www.gazette.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, visit the website.

Motor Dealers and Repairers (Declaration of Declared Trade Show – Sydney 4WD Show) Order 2025

under the

Motor Dealers and Repairers Regulation 2014

I, Anoulack Chanthivong, Minister for Better Regulation and Fair Trading, pursuant to Clause 5A of the Motor Dealers and Repairers Regulation 2014, (NSW) make the following Order.



Date: 1/01/1900

Anoulack Chanthivong
Minister for Better Regulation and Fair Trading

Explanatory note

Under Clause 5A of the Motor Dealers and Repairers Regulation 2014, the Minister for Better Regulation and Fair Trading, may, by order published in the Gazette, declare that a specified event, held at a place where a number of motor dealers, motor vehicle manufacturers or other industry participants display motor vehicles, is a declared trade show.

The object of this Order is to declare the Sydney 4WD Show to be held at the Sydney Dragway, Ferrers Road, Eastern Creek, NSW 2766 to be a declared trade show for the period starting 12.01am on 12 September 2025 and ending at 11.59pm on 14 September 2025.

The effect of the Order is to exempt motor dealers whose ordinary place of business is outside NSW from the need to hold a NSW motor dealer's licence in order to offer or display a motor vehicle for sale at the Sydney 4WD Show. To receive the benefit of the exemption, eligible persons will need to satisfy the conditions of this Order and the Regulation.

The exemption will have effect only for the duration of the trade show and applies to participation in the Sydney 4WD Show only to the extent that it involves advising persons with respect to the quality, performance and characteristics of motor vehicles and making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles).

1 Name of Order

This Order is the Motor Dealers and Repairers (Declaration of Declared Trade Show - Sydney 4WD Show) Order 2025.

2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

3 Definitions

In this Order:

Eligible person has the same meaning given to it in Clause 5A of the Regulation.

The **Sydney 4WD Show** means the Sydney 4WD Show held at the Sydney Dragway, Ferrers Road, Eastern Creek, NSW 2766.

Second-hand motor vehicle has the same meaning given to it in the *Act*.

The Act means the *Motor Dealers and Repairers Act 2013 (NSW)*.

The Regulation means the Motor Dealers and Repairers Regulation 2014 (*NSW*).

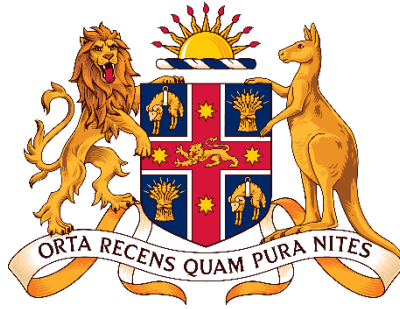
4 Declaration of Declared Trade Show

The Sydney 4WD Show is declared to be a declared trade show for the period beginning at 12:01am on 12 September 2025 and ending at 11:59pm on 14 September 2025.

5 Conditions

An eligible person must comply with the following conditions and the Regulation in order to receive the benefit of the exemption conferred by this Order:

- a) when making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles) an eligible person must advise those persons in writing:
 - i. that the sale will be effected in the jurisdiction where the eligible person's ordinary place of business is;
 - ii. that the sale will not be subject to the dealer obligations or consumer protections provided under the Act or the Regulation;
 - iii. that the sale will be subject to the relevant dealer obligations, if any, or consumer protections that apply in the jurisdiction where the eligible person's ordinary place of business is;
 - iv. consumer protection under the Australian Consumer Law extends across all state and territory boundaries;
 - v. where the pick-up location would be for the vehicle if a sale is effected; and
 - vi. where the location would be for servicing and repair work for the vehicle if a sale is effected;
 - vii. of information regarding extended warranties including matters such as the location of servicing and repair work for these warranties.
- b) display a sign at the stall or other place of business operated by the eligible person at the declared trade show that:
 - i. uses language and a format, and is in a position, that makes the sign easy to read by any person approaching the stall or place, and
 - ii. includes the registered business name, or company name, address and inter-State or Territory licence name or number (if applicable) of the business ordinarily operated by the eligible person, and
 - iii. identifies the eligible person as a person who ordinarily operates an interstate or Territory business, and
 - iv. states that the contract of sale must be signed outside of New South Wales.



Local Court of New South Wales

Practice Note – Bail Division Proceedings

Issued: 27 June 2025

Commences: 7 July 2025

Amended: N/A

Bail Division Proceedings

Contents

1. Commencement and Application of Practice Note	2
2. Definitions	2
3. Purpose	2
4. Case Management	3
5. Custody Information Form	3
6. Cut Off Time	3
7. Pre-determined Courtroom	3
8. Bail Hearings	4
9. Progression of Matter	4
10. Orders under the <i>Mental Health Cognitive Impairment Forensic Provisions Act 2020</i>	5
11. Approved Form	5

1. Commencement and Application of Practice Note

- 1.1 This Practice Note commences on 7 July 2025.
- 1.2 This Practice Note applies to bail application proceedings pursuant to the *Bail Act 2013* ('the Act') in the Local Court and is intended to reflect the legislative objective set out in Section 3 of the Act.

2. Definitions

- 2.1 In this Practice Note:

AVL means audio visual link.

Audio link means facilities (including telephone) that enable audio communication between persons at different places.

Bail Application means a detention application, release application, or variation application made under the *Bail Act 2013*.

Bail Division means centralised bail Courts presided over by a Magistrate during weekdays.

CESU means Court Escort and Security Unit (Corrective Services NSW).

Custody Information Form is the form sent by Police or CESU sites to notify the Court an accused person is ready to be listed before the Court and seen by their legal representative. This form was previously known as the Form 1.

Court participant means Prosecutors, Legal Aid NSW practitioners, Aboriginal Legal Service NSW/ACT practitioners, private legal representatives, self-represented accused, complainants, interpreters, Corrective Services NSW, Justice Health Court Liaison Officer, family, friends and support persons of the accused.

CSNSW means Corrective Services NSW.

Electronically means via email or any electronic means.

Magistrate means a Magistrate or Acting Magistrate.

Relevant Court means the Court at the place where the charging station would ordinarily list the proceeding.

Regional Hub Grouping means a collection of individual Court locations as determined in the Standard Operating Procedures.

'Standard Operating Procedures' means the current version of the Standard Operating Procedures to support the operation of the Bail Division as issued by DCJ Court Services

3. Purpose

- 3.1 This Practice Note is issued for the purpose of and to outline the practice and procedure to be adopted in bail application proceedings in the Bail Division.
- 3.2 This Practice Note is to be read in conjunction with the Crim 1 Practice Note and the Domestic and Personal Violence Proceedings Practice Note.
- 3.3 The Bail Division is a virtual Court that maintains the principle of open justice. Subject to any application to restrict access to any bail application, all bail applications will be conducted in open Court.

4. Case Management

- 4.1 The Bail Division will determine bail applications from across New South Wales via AVL from a virtual Court located at the Downing Centre Local Court, or any other location as directed by the Chief Magistrate.
- 4.2 The Bail Division will only hear first instance applications for bail by adult applicants who have been police bail refused.
- 4.3 All court participants will appear via AVL.
- 4.4 On request to the Registry, interested parties are permitted to dial into the proceedings. This will be subject to the Standard Operating Procedures.

5. Custody Information Form

- 5.1 The Custody Information Form must be completed by the custody manager at a relevant police station or by a CSNSW officer at a nominated CESU site.
- 5.2 The form is only required to be completed when an accused person at a relevant police station or nominated CESU site will appear before the Bail Division on that day.
- 5.3 The form must be received by the Court by email prior to 7 AM and should include all matters since the cut off time from the previous day. The form must also be sent to Legal Aid NSW and prosecutors by 7 AM.
- 5.4 The Custody Information Form must be updated and sent to the Court, prosecutors and Legal Aid NSW every hour from 7 AM until the cut off at 12 PM. If no further accused persons are received at a particular location, there is no requirement to update and send the form.
- 5.5 An accused person should not be included on the Custody Information Form unless the charge process is complete, and the accused person is available to provide instructions for the bail application to their legal representative.

6. Cut Off Time

- 6.1 The cut off time in the Bail Division is 12 PM. An accused person will be included in the Court bail list for the relevant day if included on the Custody Information Form by a custody manager at a police station, or a CSNSW officer at a nominated CESU site and received by the Court electronically prior to 12 PM.
- 6.2 Any accused person that fails to make the 12 PM cut off and who remains in custody, will have priority in the next day's Bail Division list.
- 6.3 Legal representatives who have obtained instructions on the day cut off is missed shall advise the Registry electronically that the bail application is ready to proceed. These matters will receive priority in the appropriate Court list in the Bail Division the next day.
- 6.4 Requests for late admission to the Bail Division may be made after 12 PM by Custody Managers or CSNSW officers. Any such application will be determined by the Registrar or the Bail Coordinating Magistrate in Chambers.

7. Pre-determined Courtroom

- 7.1 Applications will be allocated to Courts based on the Standard Operating Procedures in consultation with the Bail Coordinating Magistrate.
- 7.2 Courtroom allocations may be reassessed during the day to ensure that all matters are dealt with as expeditiously as is reasonably practicable.

8. Bail Hearings

- 8.1 At 9 AM, Legal Aid NSW legal representatives are to provide to the Court a list of matters ready to proceed. The list is to be updated throughout the day each time an application is ready to proceed.
- 8.2 For applications where private legal representatives or Aboriginal Legal Service NSW/ACT are instructed, the legal representative is to notify the Court Registry by email (or other electronic means) as soon as possible that they appear in the proceeding and provide their contact details. This must occur prior to the 12pm cut off time. Once the matter is ready to proceed the Registry must be notified as soon as possible. The Registry will advise the private legal representative when the Court is ready to hear and determine the application.
- 8.3 Court will commence sitting at 9:30 AM. Applications that were assigned priority the previous day will be heard first. Thereafter, the Court will hear applications according to readiness to proceed.
- 8.4 The Court sitting times will be the same as the Local Court. The morning-tea adjournment will be between 11:30 AM and 12 PM. The lunch adjournment will be between 1 PM and 2 PM. The Court will sit until 4 PM.
- 8.5 The prosecution must provide the accused persons legal representatives an electronic copy of the police facts and criminal antecedents prior to the bail application being heard.
- 8.6 The police facts and criminal antecedents will be tendered to the Court electronically by prosecutors prior to the hearing of the application.
- 8.7 If an applicant seeks to rely on any documents to support their bail application, the documents must be filed electronically with the registry and sent to the prosecution prior to the hearing of the application.
- 8.8 Oral submissions from the prosecution and applicant should not exceed 10 minutes for each bail application. This does not include reading time for material tendered by either party to the application. The Court may allow further time for oral submissions from the parties if the Court determines it is in the interests of justice.
- 8.9 Any matters that are not reached by 4 PM shall be listed on the next available Court day, unless otherwise directed by the Court.

9. Progression of Matter

- 9.1 Prior to hearing a bail application, if the accused person has been convicted on a finding of guilt or upon entering of a plea of guilty, the Magistrate may:
 - (a) Proceed to sentence the accused person
 - i. If the Magistrate determines the Court has capacity to hear the sentence, and
 - ii. A Sentencing Assessment Report is not required, and
 - iii. The accused person consents to the matter proceeding to sentence; or
 - (b) Proceed to hear the application for bail, or
 - (c) Adjourn the sentencing proceedings to the criminal list at the relevant Court.

- 9.2 After hearing a bail application, where an accused person enters a plea of not guilty, the Magistrate may:
- (a) Make orders for service of the prosecution brief of evidence upon the accused person or their legal representative within 4 weeks; and adjourn the proceedings for reply in 6 weeks to the criminal list of the relevant Court, or
 - (b) Where the accused person is charged with a domestic violence offence, adjourn the proceedings for mention to fix a hearing date to the next criminal list of the relevant Court, or
 - (c) Where the accused person is charged with a matter for which a brief of evidence is not required, adjourn the proceedings for mention to fix a hearing date to the next criminal list of the relevant Court, or
 - (d) Where the accused person is charged with a matter which falls under the Early Appropriate Guilty Plea Process (EAGP), make orders for service of the prosecution brief of evidence upon the accused person or their legal representative in 8 weeks, and adjourn the proceedings for mention in 8 weeks to the DPP list of the relevant Court.
- 9.3 After hearing a bail application, where the accused person has not entered a plea, the Magistrate may adjourn the proceedings for mention at the next criminal list of the relevant Court for a plea to be entered.
- 9.4 If an application for release is made and bail is refused, the matter will not proceed to sentence at the request of the accused person unless the Magistrate determines that good reasons exist, and it is in the interests of justice to proceed to sentence.

10. Orders under the *Mental Health Cognitive Impairment Forensic Provisions Act 2020*

- 10.1 When making an order under Section 19(a)-(c) of the *Mental Health Cognitive Impairment Forensic Provisions Act 2020*, bail is taken to be dispensed with. No further bail determination is required unless the accused person is returned to the Court following assessment.
- 10.2 If the accused person is found on assessment at a mental health facility not to be a mentally ill or mentally disordered person, and the Police return the accused person to the Court for a bail determination, the person will be brought before a Magistrate in the Bail Division.

11. Approved Form

- 11.1 When a bail application is made, the Magistrate must complete a Summary of Reasons for Bail Decision of Court Form (Annexure 1).

Annexure 1

SUMMARY OF REASONS FOR BAIL DECISION OF COURT

Bail Act 2013, Section 38

Effective 7 July 2025

DECISION MAKER:

LOCAL COURT AT:

DATE:

ACCUSED PERSON:

☐ Bail decision deferred due to intoxication

☐ Exceptional circumstances offence (s 22A)

☐ Unacceptable risk test (s17,s18)

OFFENCES: H _____ Seq _____ H _____ Seq _____
H _____ Seq _____ H _____ Seq _____
H _____ Seq _____ H _____ Seq _____

☐ Show cause offence (s 16A/ s 16B)

☐ Cth child sex offence (s 15AAA, CA 1914)

☐ Section 74 applies

ASSESSMENT OF BAIL CONCERNS (SECTION 18)

<p>s18(1)(a) Criminal history: <input type="checkbox"/> Lengthy <input type="checkbox"/> Limited <input type="checkbox"/> Nil Personal background and circumstances: Community ties: <input type="checkbox"/> Strong <input type="checkbox"/> Weak <input type="checkbox"/> None</p>	<p>s18(1)(i) Custodial sentence: <input type="checkbox"/> Likely <input type="checkbox"/> Unlikely</p>
<p>s18(1)(b) Nature of offence: <input type="checkbox"/> Serious <input type="checkbox"/> Minor <input type="checkbox"/> Violent <input type="checkbox"/> Property <input type="checkbox"/> Prevalent</p>	<p>s18(1)(ii) Accused person convicted but not sentenced: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>s18(1)(c) Strength of case: <input type="checkbox"/> Strong <input type="checkbox"/> Weak <input type="checkbox"/> [] Plea of guilty/convicted</p>	<p>s18(1)(j) Appeal proceedings: reasonably arguable prospect of success: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>s18(1)(d) History of violence: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>s18(1)(k) Special vulnerability: <input type="checkbox"/> Youth <input type="checkbox"/> ATSI <input type="checkbox"/> Cognitive or mental health impairment</p>
<p>s18(1)(d1) Behaviour by accused that may constitute domestic abuse (s 6A(2), C(D&PV)A 2007) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>s18(1)(l)(m) Accused person's circumstances: <input type="checkbox"/> Work <input type="checkbox"/> Family <input type="checkbox"/> Medical <input type="checkbox"/> Obtain legal advice <input type="checkbox"/> Prepare for appearance</p>
<p>s18(1)(e) Previous serious offence on bail: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>s18(1)(n) Conduct towards victim or family member of victim: <input type="checkbox"/> No contact <input type="checkbox"/> Threatening or violent</p>
<p>s18(1)(f) History of compliance or non-compliance <input type="checkbox"/> Yes <input type="checkbox"/> No Previous breaches of court orders: <input type="checkbox"/> No <input type="checkbox"/> Yes order type/s:.....</p>	<p>s18(1)(o) Views of victim or family member of victim on safety if released (serious offence or domestic violence offence against an intimate partner):</p>
<p>s18(1)(f1) Bail decision after failure to comply. Warnings issued by police officers/bail authorities re non-compliance with bail acknowledgements/conditions <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>s18(1)(p) bail conditions that could reasonably be imposed to address bail concern s20A <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>s18(1)(g) Any criminal associations: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>s18(1)(q) Any Terrorist Associations <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>s18(1)(h) Likely time in custody: <input type="checkbox"/> Days <input type="checkbox"/> Weeks <input type="checkbox"/> Months <input type="checkbox"/> Unknown</p>	<p>s18(1)(r)(s) Any statements/activities advocating support for terrorist acts/violent extremism: By accused person: <input type="checkbox"/> Yes <input type="checkbox"/> No By persons/groups associated/affiliated with accused person: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
PROSECUTION SUBMISSIONS	DEFENCE SUBMISSIONS
<p>Bail Opposed <input type="checkbox"/> Bail Not Opposed <input type="checkbox"/> <input type="checkbox"/> Unacceptable risk <input type="checkbox"/> Bail concerns identified <input type="checkbox"/> fail to appear at any proceedings for the offence <input type="checkbox"/> commit a serious offence <input type="checkbox"/> endanger safety of victims/individuals/the community <input type="checkbox"/> interfere with witnesses/evidence</p>	

☐ **BAIL REFUSED**

☐ Accused has not established exceptional circumstances exist to justify bail (s 22A)

☐ Accused has not shown cause why detention is not justified (s 16A /s 16B)

☐ Accused has not satisfied court that exceptional circumstances exist to grant bail (s 22B)

☐ Unacceptable risk that the accused if released from custody will:

☐ fail to appear at any proceedings for the offence

☐ commit a serious offence

☐ endanger safety of victims/individuals/the community

☐ interfere with witnesses/evidence

☐ **BAIL GRANTED**

☐ Conditional bail granted (see over)

☐ Bail is dispensed with

☐ Bail is granted without conditions

Bail concerns identified:

☐ fail to appear at any proceedings for the offence

☐ commit a serious offence

☐ endanger safety of victims/individuals/the community

☐ interfere with witnesses/evidence

REASONS:

Bail Condition(s):

- ☐ **Residence:** You are to live at:.....
- ☐ **Accommodation - *Post-release*:** Upon release to bail, you are to travel directly to rehabilitation facility and you are to live there during your treatment.
- ☐ **Accompaniment - *Pre-release*:** You are to be released into the care/company of You will not be released to bail until that person attends the correctional centre/police station you are in custody at for the purpose of accompanying you away from that place.
- ☐ **Curfew:** You are to be at home between PM and AM unless in the company of
- ☐ **Reporting:** You are to report to police at.....Police Station daily or each Mon / Tues / Wed / Thurs / Fri / Sat / Sun between the hours of AM and PM.
- ☐ **Place restriction:** You are not to enter..... or go within Kilometres/Metres of that area (except for).
- ☐ **Non-contact:** You are not to go near, contact or try to go near or contact or any prosecution witness (except through a lawyer).
- ☐ **Non-association:** You are not to be with or contact.....
- ☐ **Drug/alcohol restriction:** You are not to drink alcohol or take any drugs, unless the drugs are prescribed by a doctor.
- ☐ **Treatment:** You are to attend.....and accept any treatment reasonably recommended, including attending appointments.
- ☐ **Intervention/Diversion program participation:** You are to participate in the program and comply with all assessment and program requirements.
- ☐ **Passport:** If not already surrendered, you must hand in your passport to the registrar of..... Court or a police officer atPolice Station:
- ☐ ***Pre-release*:** before being released to bail.
- ☐ ***Post-release*** withinhours/days/weeks after being released from custody;
AND you must not apply for another passport.
- ☐ **Travel restriction:** You must not enter any international airport or other point of departure from Australia.
- ☐ **Mobile Phone restriction:** The applicant is to not to use or be in possession of more than one mobile telephone service and SIM card, and is to provide the password or PIN code, service and IMEI numbers of that telephone to within hours of taking or resuming possession of any such service.
- ☐ **Character acknowledgment - *Pre-release*:** You will not be released to bail until one (or) acceptable person(s) agrees in writing that they know you and think you are a responsible person who is likely to follow your bail.

☐ Security Agreement - Accused:

☐ ***Pre-release*:** You will not be released to bail until you enter into an agreement that if you do not attend when the court tells you to, you agree to forfeit \$.....

☐ without security; ☐ deposit security in the form of; ☐ deposit cash.

AND they deposit the specified form of security / amount.

☐ ***Post-release*:** You are to enter into an agreement that if you do not attend when the court tells you to, you agree to forfeit \$.....:

☐ without security; ☐ deposit security in the form of; ☐ deposit cash

☐ Security Agreement - Acceptable Person:

☐ ***Pre-release*:** You will not be released to bail until one (or) acceptable person/s is to enter into an agreement that if you do not attend when the court tells you to, they agree to forfeit \$..... (each):

☐ without security; ☐ deposit security in the form of; ☐ deposit cash.

AND they deposit the specified form of security / amount.

☐ **Electronic Monitoring – Serious DV offences:** You are to be subject to electronic monitoring by Corrective Services NSW (s 28B, *Bail Act 2013*). Before you are released to bail, you must be fitted with an electronic monitoring device. While on bail, you must comply with obligations in relation to electronic monitoring (s 31G(2), *Bail Regulation 2021*).

Enforcement Conditions

☐ **Curfew:** You must present yourself at the front door of your residence for a curfew check if told to do so by a police officer during curfew hours, no more than times per day and / or no more than times per week.

☐ **Drug or Alcohol testing:** You must present yourself at the front door of your residence and provide a sample for a drug / alcohol test if told to do so by a police officer. This condition is subject to the following restrictions:

☐ **Other condition/s:**

.....
Magistrate

CONSTITUTION ACT 1902

Ministerial arrangements for the Minister for Police and Counter-terrorism and Minister for the Hunter

Pursuant to section 36 of the *Constitution Act 1902* (NSW), Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable Tara Moriarty MLC to act for and on behalf of the Minister for Police and Counter-terrorism and Minister for the Hunter on and from 28 June 2025 to 13 July 2025, inclusive.

Dated: 25 June 2025

CHRIS MINNS, MP
Premier



Children's Court of New South Wales

Practice Note 20

Bail Proceedings

Issued 26 June 2025

1. Commencement

- 1.1. This Practice Note commences on 7 July 2025.

2. Application

- 2.1. This Practice Note applies to all bail proceedings in the Children's Court conducted by the President, a Children's Magistrate or any other Magistrate exercising the jurisdiction of the Children's Court (s13(1) *Children's Court Act 1987* (NSW)).

3. Purpose

- 3.1. This Practice Note aims to establish procedures that promote:
- a) timely decisions (ss 46 and 71 *Bail Act 2013*);
 - b) participation of child defendants;
 - c) consistency in decision-making;
 - d) access to judicial officers with knowledge, qualifications, skills and experience in dealing with young people in Children's Court proceedings;
 - e) access to prosecutors and legal practitioners with; knowledge, skills and experience in Children's Court proceedings;
 - f) access to support services, such as Youth Justice, Justice Health and Child Protection, that can provide information relevant to the circumstances of the young person to assist the Court's determination on bail.

4. Definitions

- 4.1. In this Practice Note:

AVL means audio visual link

Bail plan means an oral or written report prepared by Youth Justice to enable the Court to assess whether appropriate bail conditions can be imposed that will address the bail concerns identified by the Court.

First appearance bail proceeding means a bail proceeding on the first court appearance of a young person who is in custody following a decision by police to refuse bail or where the young person has not met a bail condition imposed by police.

In person means where the young person, or other court participant, is physically present in the courtroom.

Standard sitting days means the Children’s Court sitting arrangements on a weekday that is not a weekend, public holiday, during the Annual Magistrates’ conference, the mid-year Magistrates’ recess, the fixed court vacation period or another Magistrates’ conference period.

Non-standard sitting days means the Children’s Court sitting arrangements on weekends, public holidays, during the Annual Magistrates’ conference, the mid-year Magistrates’ recess, the fixed court vacation period or s16 conference of Children’s Magistrates.

5. Listing arrangements for first appearance bail proceedings

5.1. First appearance bail proceedings are to be listed in accordance with Table 1:

Table 1

Standard sitting days	
Court catchment areas for <ul style="list-style-type: none">Parramatta Children’s CourtSurry Hills/Sutherland Children’s CourtCampbelltown Children’s Court	First appearance bail proceedings are to be listed at the relevant Children’s Court. The young person is to appear in person unless the Court directs otherwise.

<ul style="list-style-type: none">• Broadmeadow/Raymond Terrace Children's Courts• Woy Woy/Wyong Children's Courts	
Northern Rivers Children's Court circuit	First appearance bail proceedings are to be listed at the relevant sitting court on the circuit. The young person is to appear by AVL unless the Court directs otherwise.
Illawarra Children's Court circuit (except Sutherland Children's Court unless the circuit is sitting at Sutherland)	First appearance bail proceedings to be listed at the relevant sitting court on the circuit. The young person is to appear by AVL unless the Court directs otherwise.
All other Children's Courts	All first appearance bail proceedings are to be listed at Parramatta Children's Court. The young person is to appear by AVL.
Weekends, public holidays, the Annual Magistrates' conference, mid-year Magistrates' recess, s16 conference of Children's Magistrates and the fixed court vacation period (non-standard sitting days)	
All first appearance bail proceedings are to be listed at Parramatta Children's Court. The young person is to appear by AVL.	
Northern Region Conference periods	
Northern Rivers Children's Court circuit	All first appearance bail proceedings are to be listed at Parramatta Children's Court. The young person is to appear by AVL.
Broadmeadow/Raymond Terrace Children's Courts	
Southern Region Conference periods	
Illawarra Children's Court circuit	All first appearance bail proceedings are to be listed at Parramatta Children's Court. The young person is to appear by AVL.

6. Mode of appearance of young person for first appearance bail proceedings

- 6.1. A young person will appear in person or by AVL in accordance with the arrangements set out in **Table 1**, however if a child or young person has a first appearance bail application on the date of an existing court case their first appearance bail application will be listed before the court that is hearing the existing

case. If practicable the young person is to be transported to the court which is determining the existing case.

- 6.2. These arrangements may be varied by the Court in a particular case where it is in the interests of the young person or as required in the interests of the administration of justice.
- 6.3. In determining the interests of the young person, the Court will have regard to the factors listed in Rule 32A(1) *Children's Court Rule 2000* and any other factors that are relevant to the case.

7. Mode of appearance of prosecutors and legal practitioners for first appearance bail proceedings

- 7.1. Prosecutors and legal practitioners will appear in person unless the Court grants leave to appear by AVL in a particular case.
- 7.2. Where a legal practitioner needs to physically attend a police station to have a private communication with the young person, leave will ordinarily be granted for the legal practitioner to appear before the Court by AVL, unless the police station is near the Court.

8. Attendance of other participants for first appearance bail proceedings (s10, s12A *Children's (Criminal Proceedings) Act 1987*)

- 8.1. The young person's parent, guardian, or caseworker may attend unless the Court directs otherwise. The registrar of the Court will assist a parent or guardian to attend by AVL or audio link on request.
- 8.2. Youth Justice intake staff or other service support staff may attend unless the Court directs otherwise. Where a young person is appearing by AVL from a regional location, Youth Justice intake staff or other service support staff may appear by AVL or audio link.
- 8.3. Where a young person is appearing by AVL from a regional location, a person from a regional public news service may attend by AVL unless the Court directs otherwise.

9. Prioritisation of first appearance bail proceedings

- 9.1 The Court is to receive notification of any young person who is listed before court on that day. The notification is to be made by a custody manager at a regional police station, or a Youth Justice Officer in accordance with the interagency Standard Operating Procedures.
- 9.2 Legal practitioners should prioritise obtaining instructions from young people detained in regional police stations.
- 9.3 Magistrates will ordinarily be available to sit until 4pm to deal with first appearance bail proceedings.
- 9.4 If Police expect to arrive at the Youth Justice Detention Centre after 12 noon or they expect that a young person at a regional police station will not be ready for court until after 12 noon the police are to submit a **Late Notification Form**.
- 9.5 The Court may decline to list a Late Notification case if the case is unlikely to be ready by 4pm or if the court does not have capacity to hear the case by 4pm.
- 9.6 The Court, prosecutors, legal practitioners, and support services will make every effort to ensure first appearance bail proceedings are determined on the same day.

10. Listing arrangements for bail variation applications (s51 *Bail Act 2013*)

- 10.1. An **application for review of bail conditions** by [Justice Form](#) must be served on the other party. The application should outline existing bail conditions and the proposed conditions. If the other party does not object to the application, the application may be determined in chambers. Applications to vary bail for serious offences should attach the facts and police bail report. A Magistrate may instead decide to list the application in Court to determine the application or hear submissions.
- 10.2. Applications for variation of bail are to be determined by the Court, or on the regional circuit, where the substantive charges are listed, except if paragraph 10.4 applies.
- 10.3. Applications for variation of bail are not to be listed on weekends and public holidays.

- 10.4. Applications for variation of bail are to be listed at Parramatta Children's Court during
- a) The Annual Magistrates' conference;
 - b) The mid-year Magistrates' recess;
 - c) The fixed vacation period;
 - d) S16 conference of Children's Magistrates;
 - e) Any other Magistrates' conference period; or
 - f) Where a magistrate is not available at the relevant Children's Court or relevant circuit where the substantive charges are listed, and the application is urgent.

- 10.5. Nothing in this paragraph affects the variation of bail under s53 or s78 of the *Bail Act 2013*.

11. Bail plans

- 11.1. The Court may request Youth Justice to prepare a bail plan.
- 11.2. Youth Justice may provide an oral bail plan or a written bail plan. The Court will only request a written bail plan where additional information may address bail concerns.
- 11.3. Where the Court refuses bail and requests Youth Justice to prepare a written bail plan, the proceedings will ordinarily be adjourned for 7 days to the Children's Court or the circuit court where the substantive proceedings are to be listed. If a regional case cannot be adjourned within the next 7 days, the case is to be adjourned to Parramatta Children's Court on a weekday.

12. Bail proceedings where an accommodation requirement has been imposed (s28 *Bail Act 2013*)

- 12.1. Where an accommodation requirement has been imposed the bail proceedings may be re-listed in accordance with s28(4) *Bail Act 2013* at the Children's Court that made the s28 order.
- 12.2. The bail proceedings should not be re-listed for further hearing in accordance with s28(4) *Bail Act 2013* on a weekend or public holiday (s36(2) *Interpretation Act 1987*).

Judge Ellen Skinner

President of the Children's Court of NSW

26 June 2025