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NORTHERN TERRITORY OF AUSTRALIA

WORK HEALTH COURT

No: 2144962

WORK HEALTH AUTHORITY

and

OUTBACK BALLOONING

(Extract: Sentencing Remarks)

JUDGE BORCHERS

TRANSCRIPT OF PROCEEDINGS

AT ALICE SPRINGS ON 22 JULY 2021

Transcribed by:
Epiq:

HIS HONOUR: Taking all these matters into account, the orders of the court are:

1. The company is convicted and fined \$120,000 with a victim's levy of \$1000.
2. The defendant will, pursuant to s 239 of the *Work Health and Safety (National Uniform Legislation) Act*, within two months of the date of these orders, contribute \$10,000 to the complainant for the preparation, publication and distribution of written advice regarding precautions to be undertaken by tourists in central Australia in respect of weather conditions.
3. The defendant is to pay to complainant's costs.

Mr Wild, what are those costs? Have they been determined?

MR WILD: Yes, your Honour. Your Honour, if I could seek leave to be seated while I address you. I think my head disappears above the camera. The costs have been agreed between the parties separately and that amount was \$23,249, your Honour.

HIS HONOUR: The defendant has to pay the complainant's costs, fixed at \$23,349 on or before - - -

MR STIRK: It has already happened, your Honour.

HIS HONOUR: It has happened, has it?

MR WILD: Yes, it has, your Honour.

HIS HONOUR: Well, I will make the order in any event. On or before 29 October 2021. Yes, is there anything further?

MR WILD: Just – sorry, your Honour. There was just one thing. That figure on the costs was \$23,249, not 349.

HIS HONOUR: Okay. 249, thank you. Anything further?

MS WILD: No, your Honour.

HIS HONOUR: Mr Stirk?

MR STIRK: No, your Honour.

HIS HONOUR: Thank you. We will adjourn.