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SPECIAL SUPPLEMENT

LOCAL GOVERNMENT ACT 1993 – PROCLAMATION

MARIE BASHIR, A.C., Governor

I, the Honourable MARIE BASHIR, A.C., Governor of the State of New South Wales, on the recommendation of the Minister for Local Government after considering the results of a public inquiry concerning the Broken Hill City Council, and with the advice of the Executive Council, and in pursuance of sections 255 and 256 of the Local Government Act 1993, do, by this my Proclamation –

- (a) declare all civic offices in relation to the Broken Hill City Council to be vacant;
- (b) appoint Mr Ken Boyle as Administrator of the Broken Hill City Council;
- (c) order that the term of the Administrator commences immediately and ceases on the date of the declaration of the Council's fresh election to be held on 5 December 2009;
- (d) order that if Mr Ken Boyle declines to be appointed as the Administrator, then the Minister may appoint an alternate person as the Administrator; and
- (e) order that any matters before the Council that the Administrator is unable or unavailable to determine for such reasons that may include, but are not limited to, the declaration of a pecuniary interest, the declaration of a conflict of interest, illness, or other absence may be determined by Mr Garry Payne as substitute Administrator appointed by the Minister for that limited purpose.

Signed and sealed at Sydney, this 10th day of January 2007.

The Hon. KERRY HICKEY, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN

COAL MINE HEALTH AND SAFETY ACT 2002

Effective upon the commencement of the Coal Mine Health and Safety Act 2002

Delegation pursuant to section 212 (1) of functions in Coal Mine Health and Safety Act 2002

Authorisation of subdelegation pursuant to section 214 (2)

I, IAN MACDONALD, M.L.C., Minister for Mineral Resources,

- (a) pursuant to section 212 (1) of the Coal Mine Health and Safety Act 2002 (the Act) hereby delegate all the functions conferred or imposed on the Minister by the provision of the Coal Mine Health and Safety Regulation 2006 identified in Column 1 of Schedule 1 below to the Director-General NSW Department of Primary Industries (that is, the person who holds or is for the time being acting in that position) and
- (b) pursuant to section 214 (2) of the Act hereby authorise the person referred to in paragraph (a) above to subdelegate any of the functions referred to in that paragraph to any authorised person within the meaning of section 214(3) of the Act.

In this instrument –

- function includes power, authority or duty, and
- the description of “Subject” in Column 2 is only for general explanation and does not limit the delegation of (or authorisation to subdelegate) functions under the provision identified in Column 1.

SCHEDULE 1

<i>Column 1 (a) – Provision</i>	<i>Column 2 – Subject</i>
Clause 88	Board and pillar system to be used in underground mines

Dated this 22nd day of December 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

COAL MINE HEALTH AND SAFETY ACT 2002

Effective upon the commencement of the Coal Mine Health and Safety Act 2002

Delegation pursuant to section 212 (2) of functions in the Act

I, IAN MACDONALD, M.L.C., Minister for Mineral Resources, pursuant to section 212 (2) of the Coal Mine Health and Safety Act 2002 (the Act) hereby delegate the functions conferred or imposed on the Minister by the provision of the Act identified in Schedule 1 below to the Coal Competence Board.

In this instrument –

- function includes power, authority or duty, and
- the description of “Subject” in Schedule 1 is only for general explanation and does not limit the delegation of functions under the provision of the Act identified in Column 1.

SCHEDULE 1

<i>Column 1 – Provision</i>	<i>Column 2 – Subject</i>
Section 136	Certificates of competence may be granted

Dated this 22nd day of December 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

COAL MINE HEALTH AND SAFETY ACT 2002

Delegation pursuant to section 212 (1) of functions in the Act

Effective upon the commencement of the Coal Mine Health and Safety Act 2002

Authorisation to subdelegate pursuant to section 214 (2)

I, IAN MACDONALD, M.L.C., Minister for Mineral Resources,

- (a) pursuant to section 212 (1) of the Coal Mine Health and Safety Act 2002 (the Act) hereby delegate all the functions conferred or imposed on the Minister by each section of the Act listed in Column 1 of Schedule 1 below to the Director-General NSW Department of Primary Industries (that is the person who holds or is for the time being acting in that position); and

- (b) pursuant to section 214 (2) the Act hereby authorise the person referred to in paragraph (a) above, to subdelegate any of the functions referred to in that paragraph to any authorised person within the meaning of section 214(3) of the Act.

In this instrument –

- function includes power, authority or duty, and
- the description of “subject” in column 2 is only for general explanation and does not limit the delegation of (or authorisation to subdelegate) functions under sections of the Act listed in Column 1.

SCHEDULE 1

<i>Column 1 – Section</i>	<i>Column 2 – Subject</i>
33	Minister may require other major hazards to be identified
34	Minister may declare operation is subject to risk or Major Hazard
86	Barriers and protective pillars
87	Minister may give directions regarding barriers and pillars
88	Minister may direct carrying out of works
89	Minister may grant approval to mine barrier or pillar
96	Owners of land on which abandoned mines are situated may be required to close shafts and outlets
99	Minister may direct occupier of land to make emplacement area safe
100	Establishment of emplacement areas
101	Discontinuance of emplacement areas
136	Certificates of competence may be granted
145	Appointment of government officials
146	Qualification of inspectors
147	Appointment of consultants as investigators
148	Absence of Chief Inspector
178 2 (d)	Industry Check Inspector Identification Card to bear Ministers signature
219	The Minister may determine fees and charges

Dated this 22nd day of December 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

COAL MINE HEALTH AND SAFETY REGULATION 2006

Delegation Pursuant to Section 214 (1) of the Coal Mine Health and Safety Act 2002

I, ALAN COUTTS, Acting Director-General NSW Department of Primary Industries, under authority of section 214 (1) of the Coal Mine Health and Safety Act 2002 (the Act) hereby delegate the functions of the Director-General NSW Department of Primary Industries, as specified in the Coal Mine Health and Safety Regulation 2006 identified in Column 1 (a) of Schedule 1 to any delegate identified in Column 2 of Schedule 1, or a person acting in that position.

In this instrument function includes power, authority or duty.

SCHEDULE 1

<i>Column 1 (a) – Clause</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
10	Register of operators of coal operations	The Chief Inspector under the Act (including any inspector appointed from time to time to under section 148 of the Act exercise the chief Inspector's functions)
34	Director-General to make reasonable steps to make certain information available	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
76	Specification of plant requirements	The Chief Inspector under the Act (including any inspector appointed from time to time to under section 148 of the Act exercise the chief Inspector's functions)
141	Security of mine record tracings	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
142	Supply of record tracings	The person who holds or is for the time being acting in the Department of Primary Industries position of Manager, Coal and Petroleum Titles and Systems The Chief Inspector under the Act (including any inspector appointed from time to time to under section 148 of the Act exercise the chief Inspector's functions)
178 (3) (b) & (4)	Declaration a persons competence is not recognised	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources

Dated this 28th day of December 2006.

ALAN COUTTS,
Acting Director-General,
NSW Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Delegation pursuant to section 213 of functions in the Act

I, ROBERT REGAN, Chief Inspector under the Coal Mine Health and Safety Act 2002 (the Act) pursuant to section 213 of the Act, hereby delegate all the functions conferred or imposed on the Chief Inspector by any provision of the Act listed in Column 1(a) of Schedule 1 below to the delegate(s) listed opposite that provision in Column 2 of Schedule 1.

In this instrument –

- function includes power, authority or duty, and
- numbers listed in Column 1 (a) refer to sections in the Act and the effect of this instrument is to delegate all Chief Inspector functions under each section listed or, if a subsection or paragraph of a section is listed, under that subsection or paragraph; and
- the description of “Subject” in Column 1 (b) is only for general explanation and does not limit the delegation of functions under provisions listed in Column 1 (a).

SCHEDULE 1

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
26	Chief Inspector may object to Health & Safety Management System	Any person appointed as an inspector under s 145 of the Act.
27	Industry Check Inspector may raise objection with Chief Inspector in regards to Health and Safety Management System	Any person appointed as an inspector under s 145 of the Act who also holds or is for the time being acting in the Department of Primary Industries position of Area Manager Northeast or Area Manager Southeast.
28	Review of Health and Safety Management System if required to do so by Chief Inspector	Any person appointed as an inspector under s 145 of the Act.

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
29	Notification of amendment to Health and Safety Management System	Any person appointed as an inspector under s 145 of the Act.
30	Access to Health and Safety Management System	Any person appointed as an inspector under s 145 of the Act.
50 (2)	Supply Chief Inspector with up-to-date copy of Emergency Management System if requested	Any person appointed as an inspector under s 145 of the Act.
54 (1A)	Chief Inspector may vary waiting period for High Risk Activities.	Any person appointed as an inspector under s 145 of the Act.
110	Notification of notifiable incidents	Any person appointed as an inspector under s 145 of the Act.
149 (a) & (b)	Functions of the Chief Inspector	Any person appointed as an inspector under s 145 of the Act who also holds or is for the time being acting in the Department of Primary Industries position of Area Manager Northeast or Area Manager Southeast.
171	Reporting of dangers	Any person appointed as an inspector under s 145 of the Act.

This instrument takes effect on commencement of the Act.

Dated this 22nd day of December 2006.

ALAN COUTTS,
Acting Director-General,
NSW Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Delegation pursuant to Section 213 of functions in the Coal Mine Health and Safety Regulation 2006

I, ROBERT REGAN, Chief Inspector under the Coal Mine Health and Safety Act 2002 (the Act) pursuant to section 213 of the Act, hereby delegate the functions conferred or imposed on the Chief Inspector by any provision of the Coal Mine Health and Safety Regulation 2006 (the Regulation) listed in Column 1 (a) of Schedule 1 to the delegate(s) listed opposite that provision in Column 2 of Schedule 1.

In this instrument –

- function includes power, authority or duty,
- numbers listed in Column 1(a) refer to clauses in the Regulation and the effect of this instrument is to delegate all Chief Inspector functions under each clause listed or, if a subclause or paragraph of a clause is listed, under that subclause or paragraph, and
- the description of “Subject” in Column 1(b) is only for general explanation and does not limit the delegation of functions under provisions listed in Column 1(a).

SCHEDULE 1

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
44 (3)	Restriction on number of people working underground during longwall extraction	Any person appointed as an inspector under s 145 of the Act who also holds or is for the time being acting in the Department of Primary Industries position of Area Manager Northeast or Area Manager Southeast.
50	Information concerning high risk activities	Any person appointed as an inspector under s 145 of the Act.
51	Chief Inspector may impose prohibitions or restrictions or direct evacuation or closure of coal operation	Any person appointed as an inspector under s 145 of the Act.
60	Period of non-disturbance may be shortened	Any person appointed as an inspector under s 145 of the Act.

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
93 (3)	Review of operator's requirement with regard to maximum likely gas concentrations	Any person appointed as an inspector under s 145 of the Act who also holds or is for the time being acting in the Department of Primary Industries position of Area Manager Northeast or Area Manager Southeast.
96	Appointment of explosion suppression officers	Any person appointed as an inspector under s 145 of the Act who also holds or is for the time being acting in the Department of Primary Industries position of Area Manager Northeast or Area Manager Southeast.
102 (2)	Consent to appoint manager of mining engineering as the ventilation officer for a determined period	Any person appointed as an inspector under s 145 of the Act.

This instrument takes effect on commencement of the Act.

Dated this 22nd day of December 2006.

ROBERT REGAN,
Chief Inspector,
NSW Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Delegation pursuant to section 214 (1) of functions in the Act

I, ALAN COUTTS, Acting Director-General, NSW Department of Primary Industries, pursuant to section 214 (1) of the Coal Mine Health and Safety Act 2002 (the Act) hereby delegate the functions conferred or imposed on the Director-General, NSW Department of Primary Industries by the provision of the Act identified in Column 1 (a) of Schedule 1 to each of the delegates listed in Column 2 of Schedule 1.

In this instrument function includes power, authority or duty.

SCHEDULE 1

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Delegate</i>
Section 121	Consultation as referred to in section 121 about possible modification of action affected by stop work order	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources The Chief Inspector under the Act (including any inspector appointed from time to time under section 148 of the Act to exercise the Chief Inspector's function)

Dated this 28th day of December 2006.

ALAN COUTTS,
Acting Director-General,
NSW Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Sub delegation pursuant to section 214 (2) of functions in the Act

I, ALAN COUTTS, Acting Director-General, NSW Department of Primary Industries, pursuant to section 214 (2) of the Coal Mine Health and Safety Act 2002 (the Act) hereby subdelegate to each authorised person listed below in Column 2 of Schedule 1 the functions of the Minister under the section of the Act listed opposite that authorised person in Column 1 (a) of Schedule 1 being functions which the Minister has delegated to the Director-General NSW Department of Primary Industries.

In this instrument –

- function includes power, authority or duty, and
- references to the Chief Inspector includes any inspector appointed from time to time under section 148 of the Act to exercise the functions of the Chief Inspector, and

- the description of “Subject” in Column 1 (b) is for only general information and does not limit the subdelegation of functions under provisions listed in Column 1 (a).

SCHEDULE 1

<i>Column 1 (a) – Section</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Authorised Person</i>
33	Minister may require other major hazards to be identified	The Chief Inspector under the Act
34	Minister may declare operation is subject to risk or Major Hazard	The Chief Inspector under the Act
86	Barriers and protective pillars	The Chief Inspector under the Act
87	Minister may give directions regarding barriers and pillars	The Chief Inspector under the Act
88	Minister may direct carrying out of works	The Chief Inspector under the Act
89	Minister may grant approval to mine barrier or pillar	The Chief Inspector under the Act
96	Owners of land on which abandoned mines are situated may be required to close shafts and outlets	The Chief Inspector under the Act
99	Minister may direct occupier of land to make emplacement area safe	The Chief Inspector under the Act
100	Establishment of emplacement areas	The Chief Inspector under the Act
101	Discontinuance of emplacement areas	The Chief Inspector under the Act
136	Certificates of competence may be granted	The Chief Inspector under the Act
145	Appointment of government officials	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
146	Qualification of inspectors	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
147	Appointment of consultants as investigators	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
148	Absence of Chief Inspector	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources The Chief Inspector under the Act
178 (2) (d)	Industry Check Inspector Identification Card to bear Ministers signature	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources
219	The Minister may determine fees and charges	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources

Dated this 28th day of December 2006.

ALAN COUTTS,
Acting Director-General,
NSW Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Subdelegation pursuant to section 214 (2) of functions under Coal Mine Health and Safety Regulation 2006

I, ALAN COUTTS, Acting Director-General NSW Department of Primary Industries pursuant to section 214 (2) of the Coal Mine Health and Safety Act 2002 (the Act) hereby subdelegate to each authorised person listed in Column 2 of Schedule 1 all the functions of the Minister under the provision of the Coal Mines Health and Safety Regulation 2006 identified in Column 1 (a) which the Minister has delegated to the Director-General NSW Department of Primary Industries.

In this instrument –

- function includes power, authority or duty, and
- the description of “subject” in Column 1 (b) is only for general explanation and does not limit the subdelegation of functions under the provision identified in Column 1 (a).

SCHEDULE 1

<i>Column 1 (a) – Provision</i>	<i>Column 1 (b) – Subject</i>	<i>Column 2 – Authorised Person</i>
Clause 88	Board and pillar system to be used in underground mines	The person who holds or is for the time being acting in the position of Deputy Director-General NSW Department of Primary Industries -Mineral Resources The Chief Inspector under the Act (including any inspector appointed from time to time to under section 148 of the Act exercise the chief Inspector’s functions)

Dated this 28th day of December 2006.

ALAN COUTTS,
Acting Director-General,
NSW Department of Primary Industries

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