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SPECIAL SUPPLEMENT

ANIMAL DISEASES (EMERGENCY OUTBREAKS) ACT 1991

Section 29 Notice

2nd Further Extension of Importation Order – Pigeons (No. 2)

I, THERESE MARGARET WRIGHT, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me pursuant to section 67 of the Animal Diseases (Emergency Outbreaks) Act 1991 ('the Act') and pursuant to sections 28 and 29 of the Act extend the operation of the importation order titled "Importation Order – Pigeons (No. 2)" dated 21 September 2011 and published in *NSW Government Gazette* No. 94 on 23 September 2011 at pages 5675-5676 for a further period of 30 days from the date this notice is published in the Gazette.

Dated this the 12th day of December 2011.

THERESE MARGARET WRIGHT
Deputy Chief Veterinary Officer

Note: The importation order titled "Importation Order – Pigeons (No. 2)" dated 21 September 2011 was previously extended by:

- extension notice titled "Extension of Importation Order – Pigeons (No. 2)" dated 14 October 2011 and published in *NSW Government Gazette* No. 101 on 21 October 2011 at page 6107; and
- extension notice titled "Further Extension of Importation Order – Pigeons (No. 2)" dated 16 November 2011 and published in *NSW Government Gazette* No. 111 on 18 November 2011 at page 6602.

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 (“the Act”), approve of Coal Services Pty Limited (ACN 099 078 234) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 25 November 2011.

This notice takes effect on and from the date of gazettal.

Dated this twelfth day of December 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

 SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (a) providing occupational health and rehabilitation services for workers engaged in the coal industry, including providing preventive medical services, monitoring workers’ health and investigating related health matters,
- (b) collecting, collating and disseminating accident and other statistics relating to the health and safety of workers engaged in the coal industry,
- (c) collecting, collating and disseminating other statistics related to the coal industry,
- (d) referring matters relating to the safety of workers engaged in the coal industry, as it thinks fit, to the Chief Inspector appointed under the Coal Mine Health and Safety Act 2002 for consideration,
- (e) reporting to the Minister as it thinks fit or when requested by the Minister, on matters related to the health or welfare of workers engaged in the coal industry or on any other matter arising out of its functions,
- (f) publishing reports and information of public interest concerning or arising out of its functions,
- (g) promoting the welfare of workers and former workers in the coal industry in the State, their dependants and communities in coal mining areas,
- (h) monitoring, promoting and specifying adequate training standards relating to health and safety for workers engaged in the coal industry,
- (i) approving training schemes required for a health and safety management system under the Coal Mine Health and Safety Act 2002,
- (j) monitoring dust in coal mines,
- (k) establishing or administering (or establishing and administering) or providing administrative services in respect of, superannuation schemes for the benefit of either or both of the following:
 - (i) mine workers (within the meaning of the Coal and Oil Shale Mine Workers (Superannuation) Act 1941), former mine workers and their dependants,
 - (ii) employees of the approved company, former employees and their dependants.

 SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a “listed company” and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3
 - (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - (b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;

- (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - 6 Obtain the Minister's approval of the Board's policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
 - 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
 - 8 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer may receive remuneration in addition to that which is received as a director; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
 - 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
 - 10 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.
 - 11 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 — Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
 - 12 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 ("the Act"), approve of Mines Rescue Pty Limited (ACN 099 078 261) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 25 November 2011.

This notice takes effect on and from the date of gazettal.

Dated this twelfth day of December 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (k) providing mines rescue and other services in accordance with Division 3 of this Part and Part 4.

SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a "listed company" and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.

- 3 (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;
 - (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 Obtain the Minister's approval of the Board's policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
- 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer and any full-time directors may receive remuneration in addition to that which they receive as directors; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.
- 11 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 — Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
- 12 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 ("the Act"), approve of Coal Mines Insurance Pty Limited (ACN 000 011 727) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 25 November 2011.

This notice takes effect on and from the date of gazettal.

Dated this twelfth day of December 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (m) Establishing or administering (or establishing and administering) or providing, workers compensation insurance schemes in relation to workers engaged in the coal industry.

SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a “listed company” and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3 (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;
 - (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 Obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
- 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer and any full-time directors may receive remuneration in addition to that which they receive as directors; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.
- 11 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 — Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
- 12 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.



New South Wales

Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

under the

Fisheries Management Act 1994

I, the Minister for Primary Industries, in pursuance of section 221IA of the *Fisheries Management Act 1994*, make the following Order.

Dated, this 7th day of December 2011.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Explanatory note

The object of this Order is to allow certain recreational and commercial fishing activities in the Lowland Darling River Catchment, subject to compliance with any applicable fishing regulatory controls imposed by or under the *Fisheries Management Act 1994*.

This Order is made under section 221IA of the *Fisheries Management Act 1994*.

Clause 1 Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

under the

Fisheries Management Act 1994

1 Name of Order

This Order is the *Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011*.

2 Commencement

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

3 Fishing activities that may be carried out

- (1) The activities referred to in subclauses (2)–(4) may be carried out in the Lowland Darling River Catchment subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Darling River Catchment or may carry out any routine activity in connection with any such taking or possession:
 - (a) *Paratya australiensis* (freshwater shrimp),
 - (b) *Macrobrachium australiense* (freshwater prawn),
 - (c) *Caridina mccullochi* (freshwater shrimp),
 - (d) *Cherax destructor* (yabby),
 - (e) *Maccullochella peelii* (Murray cod),
 - (f) *Macquaria ambigua* (golden perch),
 - (g) *Nematalosa erebi* (bony bream),
 - (h) *Leiopotherapon unicolor* (spangled perch).

Note. A **recreational fisher** is defined in the *Fisheries Management Act 1994* as a fisher who takes fish by any method, otherwise than for sale.

Fisheries Management (Fishing Activities in Lowland Darling River Catchment) Order 2011

Clause 4

-
- (3) A person holding a commercial fishing licence that has a Class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may:
- (a) take *Cherax destructor* (yabby) from the Lowland Darling River Catchment, or
 - (b) possess or sell *Cherax destructor* (yabby) taken from the Lowland Darling River Catchment, or
 - (c) carry out any routine activities in connection with any such taking, possession or sale.
- (4) A broodstock collector may take from the Lowland Darling River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Darling River Catchment or may carry out any routine activity in connection with any such taking or possession:
- (a) *Maccullochella peelii* (Murray cod),
 - (b) *Macquaria ambigua* (golden perch).

- (5) In this clause:

applicable fishing regulatory controls means requirements imposed by or under the *Fisheries Management Act 1994* that apply to or in respect of the activities concerned.

broodstock collector means a person who takes fish under the authority of a permit issued under section 37 of the *Fisheries Management Act 1994* for aquaculture purposes.

inland restricted fishery has the same meaning as it has in the *Fisheries Management (General) Regulation 2010*.

Lowland Darling River Catchment means the aquatic ecological community in the natural drainage system of the lowland catchment of the Darling River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community as the area covered by that recommendation).

4 Repeal of interim order

The *Fisheries Management (Continuation of Activities in Lowland Darling River Catchment) Interim Order 2011* is repealed.



New South Wales

Fisheries Management (Fishing Activities in Lowland Lachlan River Catchment) Order 2011

under the

Fisheries Management Act 1994

I, the Minister for Primary Industries, in pursuance of section 221IA of the *Fisheries Management Act 1994*, make the following Order.

Dated, this 7th day of December 2011.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Explanatory note

The object of this Order is to allow certain recreational and commercial fishing activities in the Lowland Lachlan River Catchment, subject to compliance with any applicable fishing regulatory controls imposed by or under the *Fisheries Management Act 1994*.

This Order is made under section 221IA of the *Fisheries Management Act 1994*.

Clause 1 Fisheries Management (Fishing Activities in Lowland Lachlan River Catchment) Order 2011

Fisheries Management (Fishing Activities in Lowland Lachlan River Catchment) Order 2011

under the

Fisheries Management Act 1994

1 Name of Order

This Order is the *Fisheries Management (Fishing Activities in Lowland Lachlan River Catchment) Order 2011*.

2 Commencement

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

3 Fishing activities that may be carried out

- (1) The activities referred to in subclauses (2)–(4) may be carried out in the Lowland Lachlan River Catchment subject to compliance with any applicable fishing regulatory controls.
- (2) A recreational fisher may take from the Lowland Lachlan River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Lachlan River Catchment, or may carry out any routine activity in connection with any such taking or possession:
 - (a) *Paratya australiensis* (freshwater shrimp),
 - (b) *Macrobrachium australiense* (freshwater prawn),
 - (c) *Cherax destructor* (yabby),
 - (d) *Maccullochella peelii* (Murray cod),
 - (e) *Macquaria ambigua* (golden perch),
 - (f) *Nematalosa erebi* (bony bream),
 - (g) *Leiopotherapon unicolour* (spangled perch).

Note. A **recreational fisher** is defined in the *Fisheries Management Act 1994* as a fisher who takes fish by any method, otherwise than for sale.

Fisheries Management (Fishing Activities in Lowland Lachlan River Catchment) Order 2011

Clause 4

-
- (3) A person holding a commercial fishing licence that has a Class A: Yabby and carp endorsement (transferable) in the inland restricted fishery may:
- (a) take *Cherax destructor* (yabby) from the Lowland Lachlan River Catchment, or
 - (b) possess or sell *Cherax destructor* (yabby) taken from the Lowland Lachlan River Catchment, or
 - (c) carry out any routine activities in connection with any such taking, possession or sale.
- (4) A broodstock collector may take from the Lowland Lachlan River Catchment any of the following species of fish, may possess any such species of fish taken from the Lowland Lachlan River Catchment or may carry out any routine activity in connection with any such taking or possession:
- (a) *Maccullochella peelii* (Murray cod),
 - (b) *Macquaria ambigua* (golden perch).
- (5) In this clause:
- applicable fishing regulatory controls*** means requirements imposed by or under the *Fisheries Management Act 1994* that apply to or in respect of the activities concerned.
- broodstock collector*** means a person who takes fish under the authority of a permit issued under section 37 of the *Fisheries Management Act 1994* for aquaculture purposes.
- inland restricted fishery*** has the same meaning as it has in the *Fisheries Management (General) Regulation 2010*.
- Lowland Lachlan River Catchment*** means the aquatic ecological community in the natural drainage system of the lowland catchment of the Lachlan River (described in the recommendation of the Fisheries Scientific Committee to list that aquatic ecological community as the area covered by that recommendation).

4 Repeal of interim order

The *Fisheries Management (Continuation of Activities in Lowland Lachlan River Catchment) Interim Order 2011* is repealed.

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