

## Department of Industry and Investment

### ERRATUM

SPECIAL Supplement No. 28 of 29 January 2010 which contained Orders OR106 and OR 107 under the Plant Diseases Act 1924 carried the wrong date of 29 January 2009 instead of 29 January 2010. This erratum corrects that error.

### ANIMAL RESEARCH ACT 1985

#### Appointment to the Animal Research Review Panel

I, STEVE WHAN, M.P., Minister for Primary Industries, pursuant to section 6 (2) (d) of the Animal Research Act 1985, appoint Celeste BLACK to the Animal Research Review Panel for a term commencing on the date hereof and expiring on 30 September 2010.

Dated this 11th day of March 2010.

STEVE WHAN, M.P.,  
Minister for Primary Industries

### CATTLE TICK MINISTERIAL ADVISORY COMMITTEE

#### Appointment of Members and Chairperson

I, STEVE WHAN MP, Minister for Primary Industries, appoint the persons named in column A of the Schedule below as the position described in column B for the period in column C to the Cattle Tick Ministerial Advisory Committee.

#### SCHEDULE

Column A	Column B	Column C
Malcolm Charles REID	Member	4 years
Patricia Anne HOLT	Member	4 years

Dated this 11th day of March 2010.

STEVE WHAN, M.P.,  
Minister for Primary Industries

### COAL MINE HEALTH AND SAFETY REGULATION 2006

#### Notice under clauses 149 and 152 Specifying Polymer Injection, etc, as Licensable and Contents of Licence Applications

I, ROBERT REGAN, Chief Inspector, pursuant to clauses 149 (1) (e) and 152 (1) (b) of the Coal Mine Health and Safety Regulation 2006 (the Regulation), by this notice, specify that:

- (a) the injection or application of polymeric material for ventilation or strata control carried out on or after 1 October 2010 is a licensable activity; and
- (b) an application for a licence under Part 5 of the Regulation for that activity must be in a form that contains:
  - the information and particulars specified in the Schedule below; and

- any other information and particulars required by any applicable form that may be published from time to time on the website of the NSW Department of Industry and Investment.

Note. Licences for this activity may be granted for trial and/or ongoing use application.

In this notice, polymeric material means any material (including its constituent components) that is polymerised underground, but excludes polyester resin capsules for strata support and any other material that the Chief Inspector may from time to time determine and notify in the *NSW Government Gazette*.

Dated this 17th day of March 2010.

ROBERT REGAN,  
Chief Inspector,  
Department of Industry and Investment

#### SCHEDULE

#### 1 Definitions

In this Schedule:

*equipment* means equipment that an applicant for a licence under Part 5 of the Regulation proposes to use in the injection or application of polymeric material as referred to in paragraph (a) of this notice.

*German permit* means the permit, approval or authorisation (however described) issued by the District Government Arnsberg, Department of Mining and Energy, North Rhine-Westphalia, Federal Republic of Germany demonstrating suitability and covering requirements for safe use of the relevant polymer material in German underground coal mines.

#### 2 Information and particulars on the polymeric material

##### 2.1 Use and nature of polymeric material

- Particulars of the nature of the polymeric material and details of its intended uses.
- Evidence of the suitability of the polymeric material for its intended uses, including (but not limited to) adhesion properties, strength and flexibility.

##### 2.2 Certification of polymeric material

2.2.1 Subject to clause 2.2.3, a copy of the complete German permit (that is, of the original in German), including all conditions, signed by the relevant Arnsberg authority, and a certified English translation of all that documentation.

2.2.2 The test report for the relevant polymeric material from the Mine Safety Technology Centre (MSTC), Thornton NSW stating the material has passed all applicable tests in Mine Safety Test Method TM 003.

2.2.3 The German permit requirement under clause 2.2.1 may be waived, if that the applicant provides alternative testing reports acceptable to the Chief Inspector.

## 2 Information on the equipment

A detailed description of the equipment, including schematics, photographs and engineering general arrangement drawings.

## 3 Risk assessment of equipment and injection or application process

3.1 The report of a risk assessment (that complies with clause 3.2) conducted on the equipment and the injection or application process.

3.2 The risk assessment must:

- be conducted by a professional independent third party provider;
- include a team member who is an occupational hygienist or chemist with knowledge of the product and component hazards, and other team members acceptable to the Chief Inspector;
- consider any requirements of the German permit where applicable; and
- be in accordance with MDG 1010 – Risk Management Handbook for the Mining Industry, and MDG1014 Guide to Reviewing a Risk Assessment of Mine Equipment and Operators.

## 4 Information on the licence applicant's operations

Evidence that the applicant has:

- a quality system that is certified under AS/NZS ISO 9001 for the applicant's operations, with scope to include, as appropriate, the injection or application of polymeric material for ventilation or strata control in the mine;
- competent people who remain competent by frequently injecting or applying the polymeric material;
- safe work methods for injection or application of the polymeric material that comply with the findings of the risk assessment and conditions of the German permit;
- conducted a surface trial of the polymeric material and the relevant system; and

Note. The Chief Inspector or the Chief Inspector's representative must be given at least one week's notice before such trials are undertaken.

- a documented risk management system that is consistent with AN/NZS ISO 31000:2009 Risk Management – Principles and Guidelines or an equivalent standard.

Common name	Scientific name	Alternate scientific name	Area to which the weed control order applies	Control measures	Control Class
lippia	<i>Phyla species</i>		Gunnedah Shire Council	The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed	4
lippia	<i>Phyla species</i>		Liverpool Plains Shire Council	The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed	4
lippia	<i>Phyla species</i>		Moree Plains Shire Council	The growth and spread of the plant must be controlled according to the measures specified in a management plan published by the local control authority and the plant may not be sold, propagated or knowingly distributed	4

### NOXIOUS WEEDS ACT 1993

#### Weed Control Order No. 25

#### Declaration of *Phyla canescens* to be a noxious weed

I, STEVE WHAN, M.P., Minister for Primary Industries, pursuant to sections 7 and 8 of the Noxious Weeds Act 1993 and section 43 (2) of the Interpretation Act 1987 hereby amend the Order titled "Weed Control Order No. 20 – Order declaring certain plants to be noxious weeds" as follows:

1. Remove from Schedule 4, the rows specified below.