



New South Wales

Coal Mine Subsidence Compensation Amendment Regulation 2018

under the

Coal Mine Subsidence Compensation Act 2017

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Coal Mine Subsidence Compensation Act 2017*.

VICTOR DOMINELLO, MP
Minister for Finance, Services and Property

Explanatory note

The object of this Regulation is to amend the *Coal Mine Subsidence Compensation Regulation 2017* to:

- (a) prescribe contributions to the Coal Mine Subsidence Compensation Fund payable by certain proprietors of coal mines for the 2017 calendar year, and
- (b) enable the Secretary to delegate functions under the *Coal Mine Subsidence Compensation Act 2017* to a person who is a retired Land and Environment Court judge, and
- (c) insert a note to assist in identifying the current mine subsidence districts that were proclaimed under the *Mine Subsidence Compensation Act 1961* (now repealed) and continued under the *Coal Mine Subsidence Compensation Act 2017*.

This Regulation also amends the *Coal Mine Subsidence Compensation Act 2017* to continue the current accounting and audit arrangements under the *Public Finance and Audit Act 1983* so that the Mine Subsidence Board will prepare the financial report for the 2017–18 financial year.

This Regulation is made under the *Coal Mine Subsidence Compensation Act 2017*, including sections 20, 33, 51 (the general regulation-making power) and 52 and clause 1 (5) of Schedule 1.

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1 Name of Regulation

This Regulation is the *Coal Mine Subsidence Compensation Amendment Regulation 2018*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Coal Mine Subsidence Compensation Regulation 2017

[1] Clause 9 Delegation

Insert “, Land and Environment Court” after “Supreme Court”.

[2] Clause 10

Insert after clause 9:

10 Contributions under section 33

- (1) In respect of the year referred to in the heading to Schedule 2, the contribution payable to the Coal Mine Subsidence Compensation Fund by the proprietor of a coal mine specified in Column 1 of that Schedule is the amount specified in Column 2 of that Schedule opposite that coal mine.
- (2) The contribution prescribed in Schedule 2 is due and payable within 28 days of the commencement of this clause.

[3] Schedules 2 and 3

Omit Schedule 2. Insert instead:

Schedule 2 Rate of contribution to Coal Mine Subsidence Compensation Fund for 2017

(Clause 10)

Column 1	Column 2
Coal mine	Contribution
Abel	\$1,000
Airly	\$62,662.05
Angus Place	—
Appin	\$272,536.14
Ashton	\$74,101.85
Austar	\$119,864.63
Avondale	—
Awaba	—
Baal Bone	—
Bargo	—
Bengalla	\$433,992.01
Berrima	\$1,000
Blandford Project	—
Bloomfield	\$36,124.94
Blue Mountains	—
Boggabri	\$355,949.56
Chain Valley	\$103,680.44

Column 1	Column 2
Coal mine	Contribution
Charbon	\$1,000
Clarence	\$190,222.36
Cordeaux	—
Cullen Valley - Shoalhaven Coal Pty Ltd	—
Cumnock No 1	\$370,291.01
Dartbrook - Anglo	—
Dendrobium	\$265,578.12
Donaldson Coal	—
Drayton	\$33,198.21
Duralie	\$36,304.53
Elouera	—
Enhance	—
Glennies Creek (HVCC)	\$1,964.57
Gunnedah (NAMOI)	—
Hill Top No 2	—
Hunter Valley Operations	\$718,903.80
Huntley - Heritage	—
Invincible - Shoalhaven Coal Pty Ltd	—
Ivanhoe	—
Kandos	—
Lambton	—
Liddell	\$178,617.75
Mandalong	\$407,439.42
Mangoola	\$570,876.78
Mannering	—
Maules Creek	\$452,381.06
Metropolitan	\$95,081.23
Mitchells Flat	—
Moolarben	\$572,087.82
Mount Owen	\$414,067.89
Mount Thorley	\$207,355.53
Mt Arthur	\$911,320.86
Mt Pleasant	—
Munmorah	—
Muswellbrook	\$73,443.86
Myuna	\$103,420.02

Column 1	Column 2
Coal mine	Contribution
Narrabri	\$496,620.68
Nattai	—
Neubecks Creek	—
New Wallsend No 2	—
Newstan	—
Northern	—
Preston Extended	—
Ravensworth Operations	—
Ravensworth Underground	—
Ravensworth West Colliery	—
Rix's Creek	\$113,731.38
Rocglen Open Cut	\$45,998.17
Russell Vale	\$9,622.18
Sandy Creek	—
Saxonvale	—
Saxonvale Open Cut / Beltana No 1	\$482,475.75
South Bulga Underground	—
Springvale	\$259,685.15
Stratford	—
Sunnyside	—
Tahmoor	\$136,149.33
Tarrawonga	\$110,944.91
Tasman	—
Tower	—
Ulan	\$948,575.47
United	—
Vickery Colliery	—
Wallarrah	—
Wallerawang	—
Wambo	\$384,660.39
Warkworth	\$369,447.82
Werris Creek No 2	\$73,497.61
West Cliff	\$1,000
West Wallsend	\$32,633.16
Westside Open Cut	—
Westside (Teralba)	—

Column 1	Column 2
Coal mine	Contribution
Whitehaven	\$4,687.86
Wilpinjong	\$614,666.08
Wongawilli	\$20,036.17

Schedule 3 Mine subsidence districts

Note. Areas proclaimed by the *Mine Subsidence Compensation (Mine Subsidence Districts) Proclamation 2017* to be mine subsidence districts under the *Mine Subsidence Compensation Act 1961* immediately before its repeal are taken to be mine subsidence districts under the *Coal Mine Subsidence Compensation Act 2017*—see clause 9 of Schedule 1 to the Act.

Schedule 2 Amendment of Coal Mine Subsidence Compensation Act 2017 No 37

Schedule 1 Savings, transitional and other provisions

Insert after clause 14:

15 Financial reports for 2017–18 and 2018–19 financial year

Despite the amendment of the *Public Finance and Audit Act 1983* by this Act, for the purposes of that Act:

- (a) in relation to the 2017–18 financial year:
 - (i) the Mine Subsidence Board is taken to be a statutory body within the meaning of that Act, and
 - (ii) Subsidence Advisory NSW is taken not to be a Department within the meaning of that Act, and
- (b) in relation to the 2018–19 financial year, the activities carried out by the Mine Subsidence Board before the abolition day are taken to have been carried out by the Chief Executive of Subsidence Advisory NSW.