

New South Wales.



ANNO DECIMO

GEORGI VI REGIS.

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Act No. 24, 1946.

An Act to sanction and to provide for the construction of certain works for the improvement of Cook's River, and Wolli Creek; and for purposes connected therewith. [Assented to, 5th April, 1946.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** This Act may be cited as the "Cook's River Short title. Improvements Act, 1946."

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*Cook's River Improvements.*

---

Works  
sanctioned.

**2.** (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.

(b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts.

(c) The Minister for Public Works is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such authority may think proper.

(d) The provisions of the Public Works Act, 1912, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six, and thirty-seven excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

The Plan.

**3.** The plan of the said work is the plan marked "Cook's River Improvements" signed by the Minister for Public Works and countersigned by the Chief Engineer, Department of Public Works, and deposited in the public office of the said Minister.

Cost.

**4.** The cost of carrying out the said work, exclusive of land resumptions, is estimated at six hundred thousand pounds and such estimated cost shall not in any circumstances be exceeded by more than ten per centum.

Councils on  
demand by  
Minister to  
make certain  
payments.

**5.** (1) Where land is resumed for the purpose of carrying out the said work, the council of the area within which such resumed land is situated shall, on demand, pay to the said Minister the amount of compensation and interest paid or payable in respect of such resumption together with all necessary costs, charges and expenses of and incidental to such resumption.

(2)

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*Cook's River Improvements.*

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(2) Where the carrying out of the said work renders necessary the extension of any bridges or drains, the council having the care, control or management of such bridges or drains shall on demand pay to the said Minister the cost of such extension.

(3) Where the said Minister, by arrangement with a council, spreads filling from the said work upon any public reserve under the *carē*, control and management of that council, such council shall, on demand, pay the cost thereof to the said Minister.

(4) In the event of a council making default in the payment of any amount to the Minister under this section and such default continuing for a period of three months after written notice has been given to such council by or on behalf of the Minister then and in any such case such default shall be deemed to be a default within the meaning of section three hundred and seventy-six of the Local Government Act, 1919, as amended by subsequent Acts, and a receiver may be appointed accordingly by the Supreme Court on the application of the Minister, and such receiver shall have the powers and duties of a receiver appointed by virtue of that section.

(5) For the purpose of this section the expressions "council", "area" and "public reserve" have the meanings ascribed thereto respectively by the Local Government Act, 1919, as amended by subsequent Acts.

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SCHEDULE.

The work consists of—

- (1) the re-alignment and dredging of the channel of Cook's River from the Cook's River (Prince's Highway) bridge at Tempe, upstream to Church Street, Canterbury;
- (2) the re-alignment and dredging of the channel of Wolli Creek from its confluence with Cook's River near the railway bridge at Tempe, upstream to the main western suburbs outfall sewer;
- (3) the construction of levee banks and bank protection works along the channels of Cook's River and Wolli Creek;

(4)

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*Cook's River Improvements.*

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- (4) the extension of existing bridges over Cook's River where rendered necessary by the re-alignment of the channel thereof;
- (5) the construction of new drains and the extension of existing drains leading into Cook's River and Wolli Creek where rendered necessary by the re-alignment of the channels thereof;
- (6) the reclamation and improvement of low-lying areas adjacent to the re-aligned channels of Cook's River and Wolli Creek;
- (7) the removal of the tide gates on Cook's River (Prince's Highway) Bridge near Tempe;
- (8) all other necessary works incidental to the above.

The above to be subject to such modifications and deviations as the Minister for Public Works may deem desirable.

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By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1946.

[3d.]

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 28 March, 1946.*

## New South Wales.



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Act No. 24, 1946.

An Act to sanction and to provide for the construction of certain works for the improvement of Cook's River, and Wollie Creek; and for purposes connected therewith. [Assented to, 5th April, 1946.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Cook's River Short title. Improvements Act, 1946."

2.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Cook's River Improvements.*

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**Works  
sanctioned.**

**2.** (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.

(b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts.

(c) The Minister for Public Works is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such authority may think proper.

(d) The provisions of the Public Works Act, 1912, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six, and thirty-seven excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

**The Plan.**

**3.** The plan of the said work is the plan marked "Cook's River Improvements" signed by the Minister for Public Works and countersigned by the Chief Engineer, Department of Public Works, and deposited in the public office of the said Minister.

**Cost.**

**4.** The cost of carrying out the said work, exclusive of land resumptions, is estimated at six hundred thousand pounds and such estimated cost shall not in any circumstances be exceeded by more than ten per centum.

**Councils on  
demand by  
Minister to  
make certain  
payments.**

**5.** (1) Where land is resumed for the purpose of carrying out the said work, the council of the area within which such resumed land is situated shall, on demand, pay to the said Minister the amount of compensation and interest paid or payable in respect of such resumption together with all necessary costs, charges and expenses of and incidental to such resumption.

(2)

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*Cook's River Improvements.*

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(2) Where the carrying out of the said work renders necessary the extension of any bridges or drains, the council having the care, control or management of such bridges or drains shall on demand pay to the said Minister the cost of such extension.

(3) Where the said Minister, by arrangement with a council, spreads filling from the said work upon any public reserve under the care, control and management of that council, such council shall, on demand, pay the cost thereof to the said Minister.

(4) In the event of a council making default in the payment of any amount to the Minister under this section and such default continuing for a period of three months after written notice has been given to such council by or on behalf of the Minister then and in any such case such default shall be deemed to be a default within the meaning of section three hundred and seventy-six of the Local Government Act, 1919, as amended by subsequent Acts, and a receiver may be appointed accordingly by the Supreme Court on the application of the Minister, and such receiver shall have the powers and duties of a receiver appointed by virtue of that section.

(5) For the purpose of this section the expressions "council", "area" and "public reserve" have the meanings ascribed thereto respectively by the Local Government Act, 1919, as amended by subsequent Acts.

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SCHEDULE.

The work consists of—

- (1) the re-alignment and dredging of the channel of Cook's River from the Cook's River (Prince's Highway) bridge at Tempe, upstream to Church Street, Canterbury;
- (2) the re-alignment and dredging of the channel of Wollie Creek from its confluence with Cook's River near the railway bridge at Tempe, upstream to the main western suburbs outfall sewer;
- (3) the construction of levee banks and bank protection works along the channels of Cook's River and Wollie Creek;

(4)

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*Cook's River Improvements.*

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- (4) the extension of existing bridges over Cook's River where rendered necessary by the re-alignment of the channel thereof;
- (5) the construction of new drains and the extension of existing drains leading into Cook's River and Wollie Creek where rendered necessary by the re-alignment of the channels thereof;
- (6) the reclamation and improvement of low-lying areas adjacent to the re-aligned channels of Cook's River and Wollie Creek;
- (7) the removal of the tide gates on Cook's River (Prince's Highway) Bridge near Tempe;
- (8) all other necessary works incidental to the above.

The above to be subject to such modifications and deviations as the Minister for Public Works may deem desirable.

*In the name and on behalf of His Majesty I assent to this Act.*

F. R. JORDAN,  
*Lieutenant-Governor.*

*Government House,  
Sydney, 5th April, 1946.*



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 20 March, 1946.*

## New South Wales.



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Act No. , 1946.

An Act to sanction and to provide for the construction of certain works for the improvement of Cook's River, and Wolli Creek; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Cook's River Improvements Act, 1946." Short title.

*Cook's River Improvements.*

2. (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned. Works sanctioned.

(b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts.

(c) The Minister for Public Works is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such authority may think proper.

(d) The provisions of the Public Works Act, 1912, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six, and thirty-seven excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

3. The plan of the said work is the plan marked "Cook's River Improvements" signed by the Minister for Public Works and countersigned by the Chief Engineer, Department of Public Works, and deposited in the public office of the said Minister. The Plan.

4. The cost of carrying out the said work, exclusive of land resumptions, is estimated at six hundred thousand pounds and such estimated cost shall not in any circumstances be exceeded by more than ten per centum. Cost.

5. (1) Where land is resumed for the purpose of carrying out the said work, the council of the area within which such resumed land is situated shall, on demand, pay to the said Minister the amount of compensation and interest paid or payable in respect of such resumption together with all necessary costs, charges and expenses of and incidental to such resumption. Councils on demand by Minister to make certain payments.

(2)

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*Cook's River Improvements.*

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(2) Where the carrying out of the said work renders necessary the extension of any bridges or drains, the council having the care, control or management of such bridges or drains shall on demand pay to the said  
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 20 Supreme Court on the application of the Minister, and such receiver shall have the powers and duties of a receiver appointed by virtue of that section.

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SCHEDULE.

The work consists of—

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- (4)

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*Cook's River Improvements.*

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- 10 (6) the reclamation and improvement of low-lying areas adjacent to the re-aligned channels of Cook's River and Wolli Creek;
- (7) the removal of the tide gates on Cook's River (Prince's Highway) Bridge near Tempe;
- (8) all other necessary works incidental to the above.

The above to be subject to such modifications and deviations as  
15 the Minister for Public Works may deem desirable.

No. , 1946.

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## A BILL

To sanction and to provide for the construction of certain works for the improvement of Cook's River, and Wollie Creek; and for purposes connected therewith.

[MR. CAHILL;—12 *March*, 1946.]

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*Cook's River Improvements.*

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The above to be subject to such modifications and deviations as  
15 the Minister for Public Works may deem desirable.

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Sydney: Thomas Henry Tennant, Government Printer—1946.

[4d.]



## Cook's River Improvements Bill, 1946.

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### **EXPLANATORY NOTE.**

THE object of this Bill is to authorise the carrying out, by the Minister for Public Works as constructing authority under the Public Works Act, 1912, of certain works for the improvement of Cook's River and Wolli Creek.

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
540 EAST 57TH STREET  
CHICAGO, ILLINOIS 60637  
TEL. 773-936-3700  
FAX 773-936-3701  
WWW.CHEM.UCHICAGO.EDU

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PROOF

No. , 1946.

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## A BILL

To sanction and to provide for the construction of certain works for the improvement of Cook's River, and Wollie Creek; and for purposes connected therewith.

[MR. CAHILL;—12 *March*, 1946.]

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*Cook's River Improvements.*

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