

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 22 November, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1967.

An Act to sanction and to provide for the construction of a dam across the Belubula River about three miles upstream from Carcoar and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith.

BE it enacted by the Queen'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 "Carcoar Dam Act, Short title, 1967".

Carcoar Dam.

2. (1) (a) The carrying out of the work described in ^{Work} the Schedule to this Act is hereby sanctioned. _{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 Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, and shall enter into 10 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 15 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 20 paragraph (c) of subsection one of this section.

3. The plan of the said work is the plan marked ^{The plan.} "Belubula River—Proposed Carcoar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and 25 catalogued No. 135/209.

4. The cost of carrying out the said work is estimated at ^{Estimated} four million two hundred thousand dollars and such estimated _{cost.} cost shall not, under any circumstances, be exceeded by more than ten per centum.

5.

Carcoar Dam.

5 **5.** For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

Amend-
ment of
Act No. 45,
1912.

10 Provided further that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in making out title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

SCHEDULE.

Sec. 2
(1) (a).

- (1) The construction of—
- 15 (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar within portions 16 and 71, parish of Shaw, and portion 377, parish of Errol, all county of Bathurst, of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with
- 20 works incidental thereto;
- (b) road deviations and roads of access together with structures incidental thereto;
- (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.
- 25 (2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.
- (3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[5c]

No. , 1967.

A BILL

To sanction and to provide for the construction of a dam across the Belubula River about three miles upstream from Carcoar and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith.

[MR BEALE—7 November, 1967.]

BE it enacted by the Queen'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 "Carcoar Dam Act, **Short title.** 1967".

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2.

Carcoar Dam.

2. (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned. ^{Work 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 Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, 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 "Belubula River—Proposed Carcoar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 135/209. ^{The plan.}

4. The cost of carrying out the said work is estimated at four million two hundred thousand dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum. ^{Estimated cost.}

5.

Carcoar Dam.

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

Amend-
ment of
Act No. 45,
1912.

Provided further that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in making out title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

SCHEDULE.

Sec. 2
(1) (a).

- (1) The construction of—
- (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar within portions 16 and 71, parish of Shaw, and portion 377, parish of Errol, all county of Bathurst, of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with works incidental thereto;
 - (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.
- (2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.
- (3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[5c]

Section 1

For the purpose of this Act but not otherwise the Public Works Act, 1912, as amended by subsequent Acts shall be deemed to be amended by inserting at the end of the following proviso:-

Provided that where any person shall be liable for any period during which delay in fixing the amount of compensation or in carrying out the work has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable

SCHEDULE

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CARCOAR DAM BILL, 1967

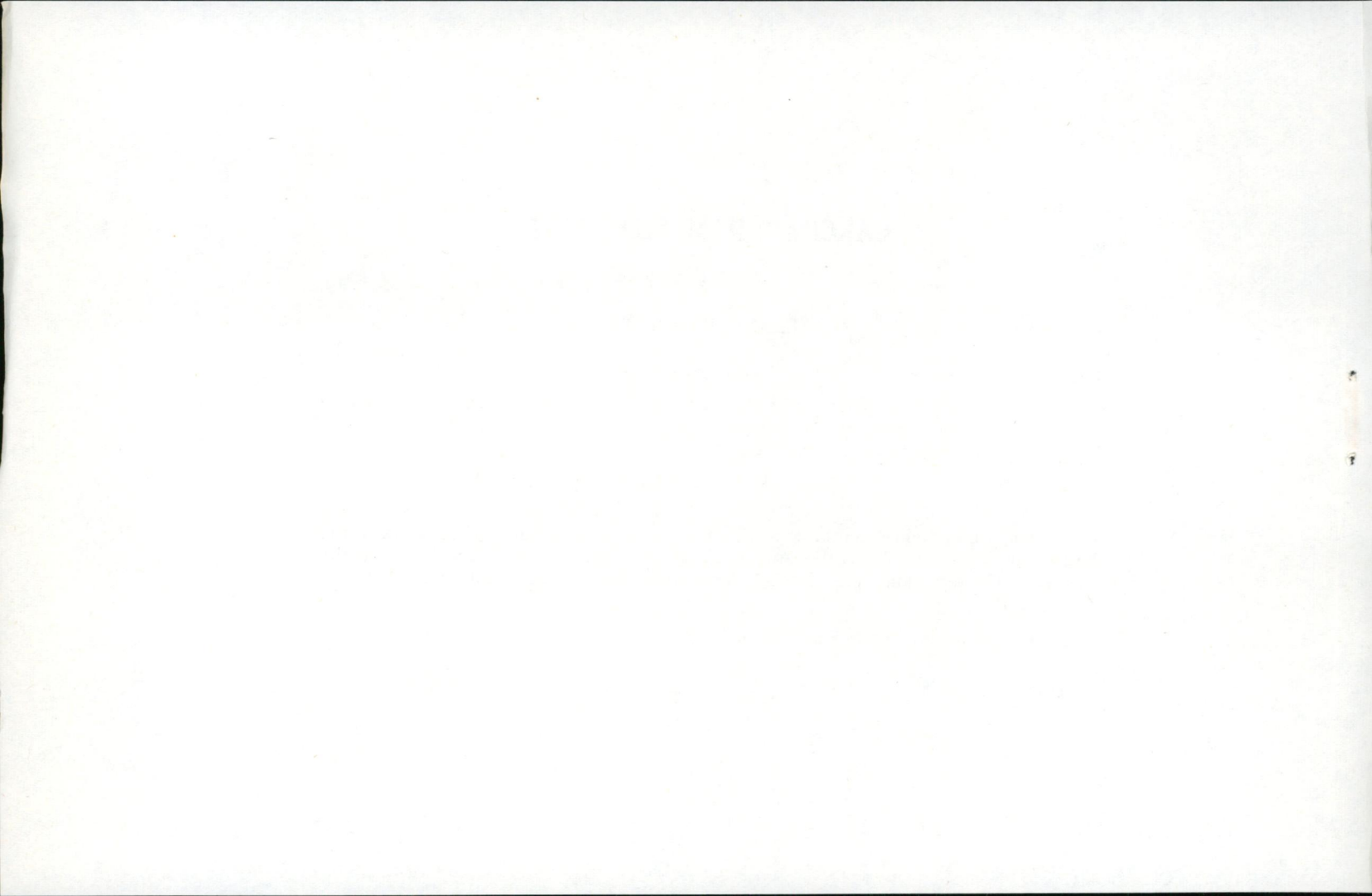
EXPLANATORY NOTE

THE Bill sanctions and provides for the construction of—

- (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes ;
- (b) necessary spillway and outlet works for regulation of the discharge of water from the storage.

The Bill provides that the work shall be deemed an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts, and that The Water Conservation and Irrigation Commission shall be the Constructing Authority for the work.

The estimated cost of the work is four million two hundred thousand dollars.



No. , 1967.

A BILL

To sanction and to provide for the construction of a dam across the Belubula River about three miles upstream from Carcoar and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith.

[MR BEALE—7 November, 1967.]

BE it enacted by the Queen'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 "Carcoar Dam Act, 1967". Short title.

Carcoar Dam.

2. (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned. ^{Work 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 Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, 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 "Belubula River—Proposed Carcoar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 135/209. ^{The plan.}

4. The cost of carrying out the said work is estimated at four million two hundred thousand dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum. ^{Estimated cost.}

5.

Carcoar Dam.

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

Amend-
ment of
Act No. 45,
1912.

10 Provided further that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in making out title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

SCHEDULE.

Sec. 2
(1) (a).

- (1) The construction of—
- 15 (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar within portions 16 and 71, parish of Shaw, and portion 377, parish of Errol, all county of Bathurst, of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with
- 20 works incidental thereto;
- (b) road deviations and roads of access together with structures incidental thereto;
- (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.
- 25 (2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.
- (3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

Contract Law

Section 1. The purpose of this Act is to amend the Contract Law Act, 1980, as amended by subsequent Acts, to be known as the Contract Law Act, 1987, by inserting at the end of the Act the following provisions:

Section 2. The period within which a contract may be made shall not be limited by any period during which delay in making the contract is excused by the act or default of the party to whom such compensation is payable.

SCHEDULE

Section 3. The construction of the provisions of this Act shall be governed by the provisions of the Contract Law Act, 1980, as amended by subsequent Acts, in relation to the provisions of this Act.

Section 4. The provisions of this Act shall apply to contracts made after the commencement of this Act.

Section 5. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the performance of such contracts.

Section 6. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the enforcement of such contracts.

Section 7. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the termination of such contracts.

Section 8. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the rescission of such contracts.

Section 9. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the assignment of such contracts.

Section 10. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the sub-contracting of such contracts.

Section 11. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the delegation of such contracts.

Section 12. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the novation of such contracts.

Section 13. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the discharge of such contracts.

Section 14. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the release of such contracts.

Section 15. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the assignment of such contracts.

Section 16. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the sub-contracting of such contracts.

Section 17. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the delegation of such contracts.

Section 18. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the novation of such contracts.

Section 19. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the discharge of such contracts.

Section 20. The provisions of this Act shall apply to contracts made before the commencement of this Act, in so far as they relate to the release of such contracts.

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 75, 1967.

An Act to sanction and to provide for the construction of a dam across the Belubula River about three miles upstream from Carcoar and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1967.]

BE it enacted by the Queen'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 "Carcoar Dam Act, Short title. 1967".

Carcoar Dam.

Work
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 Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, 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 "Belubula River—Proposed Carcoar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 135/209.

Estimated
cost.

4. The cost of carrying out the said work is estimated at four million two hundred thousand dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

Carcoar Dam.

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

Amend-
ment of
Act No. 45,
1912.

Provided further that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in making out title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

SCHEDULE.

Sec. 2
(1) (a).

- (1) The construction of—
- (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar within portions 16 and 71, parish of Shaw, and portion 377, parish of Errol, all county of Bathurst, of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with works incidental thereto;
 - (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.
- (2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.
- (3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 December, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 75, 1967.

An Act to sanction and to provide for the construction of a dam across the Belubula River about three miles upstream from Carcoar and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1967.]

BE it enacted by the Queen'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 "Carcoar Dam Act, Short title. 1967".

2.

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Carcoar Dam.

Work
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 Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, 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 "Belubula River—Proposed Carcoar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 135/209.

Estimated
cost.

4. The cost of carrying out the said work is estimated at four million two hundred thousand dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

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Carcoar Dam.

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

Amend-
ment of
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Provided further that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in making out title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

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Sec. 2
(1) (a).

- (1) The construction of—
- (a) a concrete arch dam across the Belubula River about 3 miles upstream from the town of Carcoar within portions 16 and 71, parish of Shaw, and portion 377, parish of Errol, all county of Bathurst, of a height sufficient to store about 30,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with works incidental thereto;
 - (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.
- (2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.
- (3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 14th December, 1967.*

