

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, 18 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1970.

An Act to sanction and to provide for the construction of a dam across the Brogo River about fourteen miles north-north-west of Bega and storages on the Bemboka River/Tantawangalo Creek system together with works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith.

BE

Brogo Dam and Associated Works.

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 "Brogo Dam and Associated Works Act, 1970". Short title.

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

10 (b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912.

(c) The Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be 15 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, 20 1912, 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, shall apply to and in respect of any 25 contracts referred to in paragraph (c) of subsection one of this section.

3. The plan of the said work is the plan marked The plan. "Proposed Brogo Dam and Associated Works Locality Plan", sealed with the seal of The Water Conservation and Irrigation 30 Commission, and deposited in the head office of the said Commission and catalogued No. 218/152.

Brogo Dam and Associated Works.

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

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

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) (i) a dam across the Brogo River about 14 miles north-north-west of the town of Bega within portions 73 and 93, parish of Puen Buen, county of Auckland, of a height sufficient to store about 8,000 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;

20
25 (ii) storages on the Bemboka River/Tantawangalo Creek system, with necessary spillway and outlet works for regulation of the discharge of water, together with works incidental thereto, sufficient to provide a normal annual regulated flow of about 12,000 acre-feet of water for irrigation purposes in the Bega River system when operated in conjunction with the Brogo Dam;

(b)

Brogo Dam and Associated Works.

- (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoirs and for the protection of the foreshores of the storages.
- 5 (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—1970

[5c]

Brogo Dam and Associated Works.

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:—

No. 1970.

A BILL

To sanction and to provide for the construction of a dam across the Brogo River about fourteen miles north-north-west of Bega and storages on the Bemboka River/Tantawangalo Creek system together with works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith.

[MR BEALE—10 November, 1970.]

BE

Brogo Dam and Associated Works.

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 "Brogo Dam and Associated Works Act, 1970". Short title.

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

10 (b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912.

15 (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 and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such Authority may think proper.

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

25 (2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, 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 "Proposed Brogo Dam and Associated Works Locality Plan", sealed with the seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 218/152. The plan.

Brogo Dam and Associated Works.

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

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

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) (i) a dam across the Brogo River about 14 miles north-north-west of the town of Bega within portions 73 and 93, parish of Puen Buen, county of Auckland, of a height sufficient to store about 8,000 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;
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- 25 (ii) storages on the Bemboka River/Tantawangalo Creek system, with necessary spillway and outlet works for regulation of the discharge of water, together with works incidental thereto, sufficient to provide a normal annual regulated flow of about 12,000 acre-feet of water for irrigation purposes in the Bega River system when operated in conjunction with the Brogo Dam;
- 30

Brogo Dam and Associated Works.

- (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoirs and for the protection of the foreshores of the storages.
- 5 (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—1970

[5c]

BROGO DAM AND ASSOCIATED WORKS BILL, 1970

EXPLANATORY NOTE

THE Bill sanctions and provides for the construction of—

- (a) a dam across the Brogo River about 14 miles north-north-west of the town of Bega of a height sufficient to store about 8,000 acre-feet of water for irrigation purposes;
- (b) storages on the Bemboka River/Tantawangalo Creek system sufficient to provide a normal annual regulated flow of about 12,000 acre-feet of water for irrigation purposes in the Bega River system when operated in conjunction with the Brogo Dam;
- (c) necessary spillway and outlet works for regulation of the discharge of water from the storages.

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

The estimated cost of the work is five million dollars.

PROOF

No. , 1970.

A BILL

To]sanction and to provide for the construction of a dam across the Brogo River about fourteen miles north-north-west of Bega and storages on the Bemboka River/Tantawangalo Creek system together with works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith.

[Mr BEALE—10 November, 1970.]

BE

Brogo Dam and Associated Works.

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
5 follows :—

1. This Act may be cited as the "Brogo Dam and Short title.
Associated Works Act, 1970".

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

10 (b) The said work shall be deemed to be an
authorised work within the meaning of the Public Works Act,
1912.

(c) The Water Conservation and Irrigation Com-
mission is empowered to carry out the said work and shall be
15 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,
20 1912, 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, shall apply to and in respect of any
25 contracts referred to in paragraph (c) of subsection one of
this section.

3. The plan of the said work is the plan marked The plan.
"Proposed Brogo Dam and Associated Works Locality Plan",
sealed with the seal of The Water Conservation and Irrigation
30 Commission, and deposited in the head office of the said
Commission and catalogued No. 218/152.

Brogo Dam and Associated Works.

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

5. For the purposes of this Act, but not otherwise, the ^{Amend-} Public Works Act, 1912, shall be deemed to be amended by ^{ment of} Act No. 45, inserting at the end of subsection two of section one hundred ^{1912.} and twenty-six the following proviso :—

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) (i) a dam across the Brogo River about 14 miles north-north-west of the town of Bega within portions 73 and 93, parish of Puen Buen, county of Auckland, of a height sufficient to store about 8,000 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;
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- 25 (ii) storages on the Bemboka River/Tantawangalo Creek system, with necessary spillway and outlet works for regulation of the discharge of water, together with works incidental thereto, sufficient to provide a normal annual regulated flow of about 12,000 acre-feet of water for irrigation purposes in the Bega River system when operated in conjunction with the Brogo Dam;
- 30

(b)

Brogo Dam and Associated Works.

- (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoirs and for the protection of the foreshores of the storages.
- 5 (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—1970

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, 24 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 68, 1970.

An Act to sanction and to provide for the construction of a dam across the Brogo River about fourteen miles north-north-west of Bega and storages on the Bemboka River/Tantawangalo Creek system together with works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 27th November, 1970.]

BE

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

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Brogo Dam and Associated Works.

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:—

Short title. **1.** This Act may be cited as the "Brogo Dam and Associated Works Act, 1970".

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.

(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 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, 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, 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 "Proposed Brogo Dam and Associated Works Locality Plan", sealed with the seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 218/152.

Brogo Dam and Associated Works.

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

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :— ^{Amendment 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) (i) a dam across the Brogo River about 14 miles north-north-west of the town of Bega within portions 73 and 93, parish of Puen Buen, county of Auckland, of a height sufficient to store about 8,000 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;
- (ii) storages on the Bemboka River/Tantawangalo Creek system, with necessary spillway and outlet works for regulation of the discharge of water, together with works incidental thereto, sufficient to provide a normal annual regulated flow of about 12,000 acre-feet of water for irrigation purposes in the Bega River system when operated in conjunction with the Brogo Dam;

(b)

Brogo Dam and Associated Works.

- (b) road deviations and roads of access together with structures incidental thereto;
 - (c) works necessary to prevent siltation within the reservoirs and for the protection of the foreshores of the storages.
- (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, 27th November, 1970.*