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, 4 *December,* 1968.

New South Wales

ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

****

Act No. , 1968.

An Act to sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour, including dredging and excavation work; to authorise the Minister for Public Works to negotiate and enter into agreements for the improvement and development of Port Kembla Inner Harbour; to amend the Public Works Act, 1912, as subsequently amended; and for purposes connected therewith.

BE

58921 136—

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 "Port Kembla Inner Harbour (Further Extensions) Act, 1968". Short title.

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

(b) The said works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912, as subsequently amended.

(c) The Minister for Public Works is empowered to carry out the works described in the Schedule to this Act 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 subsequently amended, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the works described in the Schedule to this Act.

(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 subsequently amended, shall apply, mutatis mutandis, to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

3. The plan of the works described in the Schedule to this Act is the plan marked "Port Kembla Inner Harbour Further Extensions 1968" signed by the Minister for Public Works and countersigned by the Director of Public Works and deposited in the Public Office of the said Minister. The plan.

4.

4. The cost of carrying out the works described in the Schedule (Parts One, Two and Three) to this Act (exclusive of land exchanges and land acquisitions) is estimated at three million six hundred and twenty thousand dollars and such estimated cost shall not under any circumstances be exceeded by more than ten per centum. Estimated cost.

5. (1) The Minister for Public Works is hereby authorised to negotiate and enter into such agreements with Australian Iron & Steel Proprietary Limited, the Australian Coastal Shipping Commission, and other persons for and in connection with the improvement and development of Port Kembla Inner Harbour and contiguous areas as he may think proper. Any such agreement shall be subject to the concurrence of the Treasurer and approval of the Governor. Agreements.

(2) For the purposes of the improvement and development referred to in subsection one of this section the agreements that the Minister may enter into may include agreements—

(a) for repayment by users of the port facilities to be provided of part or the whole of the cost both of deepening the West and East Basins and for the maintenance thereof and provision of berths, mooring dolphins and other port and associated facilities,

(b) for exchanges, leasing and sale of lands,

(c) for the opening and closing of roads, and

(d) for the acquisition of land.

(3) The Minister for Public Works shall be the Constructing Authority in respect of any works to be carried out by him in pursuance of any such agreement and the provisions of section two of this Act shall apply, mutatis mutandis, to and in respect of such works.

6. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, Provision re public roads.

roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

(2) No claim against the Minister, whether as a Constructing Authority or otherwise, for compensation shall arise from or in respect of anything done by him pursuant to subsection one of this section or from or in respect of the vesting pursuant to that subsection of any land in the Minister as Constructing Authority for the purposes of this Act.

Provision of Harbour and Tonnage Rates Act, 1920, to apply.

7. The Harbour and Tonnage Rates Act, 1920, as subsequently amended, and the regulations from time to time in force thereunder but in so far only as such Act, as so amended, and regulations relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges shall apply to and in respect of every wharf (which term for the purposes of this section shall include any structure, landing place or facility where cargo may be loaded or discharged or where vessels may be berthed) to be hereafter erected, constructed or provided in Port Kembla Inner Harbour or upon lands adjoining and adjacent thereto as if the same were a public wharf and accordingly harbour and tonnage rates and berthing charges in accordance with the said Act, as so amended, and regulations will be payable in respect of all vessels berthed at any such wharf :

Provided that in respect of a vessel whilst berthed at a wharf which was erected under an agreement entered into in pursuance of section five of this Act by which the whole or part of the cost of construction of such wharf has been provided by the owner of such vessel the harbour and tonnage rates

rates and berthing charges to be paid in respect of that vessel and its cargo shall be such proportion of those which but for this proviso would be payable as shall be approved by the Governor.

5 **8.** Section three hundred and twenty-seven of the Local Government Act, 1919, as subsequently amended, shall not apply in respect of any subdivision of land made in connection with the improvement and development of Port Kembla Inner Harbour to be carried out in pursuance of this Act.

Section 327 of Local Government Act, 1919, not to apply to subdivisions.

10

SCHEDULE.

DESCRIPTION OF WORKS.

PART ONE.

A further extension of Port Kembla Inner Harbour in the area known as Tom Thumb's Lagoon by sixty-seven acres or thereabouts, 15 such extension to the Inner Harbour to be constructed to depths of twenty-five, thirty-six and forty feet below Indian Spring Low Water.

The whole of the work hereinbefore described shall be subject to such modifications and deviations as may be deemed necessary or desirable by the Constructing Authority.

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PART TWO.

Excavation and ancillary works intended to be carried out under an agreement which may be entered into in pursuance of this Act between the Minister for Public Works and Australian Iron & Steel Proprietary Limited on the lands adjacent to the West Basin and 25 which are owned by the Company referred to in this Part or are to be transferred or leased to the Company and having a total area of fifteen acres or thereabouts.

PART THREE.

The construction of berths, mooring dolphins, ramps and asso- 30 ciated facilities in the East Basin and contiguous areas.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968
[5c]

No. , 1968.

A BILL

To sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour, including dredging and excavation work; to authorise the Minister for Public Works to negotiate and enter into agreements for the improvement and development of Port Kembla Inner Harbour; to amend the Public Works Act, 1912, as subsequently amended; and for purposes connected therewith.

[MR HUGHES—27 *November*, 1968.]

BE

58921 136—

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 "Port Kembla Inner Harbour (Further Extensions) Act, 1968". Short title.

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

(b) The said works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912, as subsequently amended.

(c) The Minister for Public Works is empowered to carry out the works described in the Schedule to this Act 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 subsequently amended, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the works described in the Schedule to this Act.

(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 subsequently amended, shall apply, mutatis mutandis, to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

3. The plan of the works described in the Schedule to this Act is the plan marked "Port Kembla Inner Harbour Further Extensions 1968" signed by the Minister for Public Works and countersigned by the Director of Public Works and deposited in the Public Office of the said Minister. The plan.

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4. The cost of carrying out the works described in the Schedule (Parts One, Two and Three) to this Act (exclusive of land exchanges and land acquisitions) is estimated at three million six hundred and twenty thousand dollars and such estimated cost shall not under any circumstances be exceeded by more than ten per centum. Estimated cost.

5. (1) The Minister for Public Works is hereby authorised to negotiate and enter into such agreements with Australian Iron & Steel Proprietary Limited, the Australian Coastal Shipping Commission, and other persons for and in connection with the improvement and development of Port Kembla Inner Harbour and contiguous areas as he may think proper. Any such agreement shall be subject to the concurrence of the Treasurer and approval of the Governor. Agreements.

(2) For the purposes of the improvement and development referred to in subsection one of this section the agreements that the Minister may enter into may include agreements—

(a) for repayment by users of the port facilities to be provided of part or the whole of the cost both of deepening the West and East Basins and for the maintenance thereof and provision of berths, mooring dolphins and other port and associated facilities,

(b) for exchanges, leasing and sale of lands,

(c) for the opening and closing of roads, and

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(3) The Minister for Public Works shall be the Constructing Authority in respect of any works to be carried out by him in pursuance of any such agreement and the provisions of section two of this Act shall apply, mutatis mutandis, to and in respect of such works.

6. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, Provision re public roads.

roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

(2) No claim against the Minister, whether as a Constructing Authority or otherwise, for compensation shall arise from or in respect of anything done by him pursuant to subsection one of this section or from or in respect of the vesting pursuant to that subsection of any land in the Minister as Constructing Authority for the purposes of this Act.

Provision of Harbour and Tonnage Rates Act, 1920, to apply.

7. The Harbour and Tonnage Rates Act, 1920, as subsequently amended, and the regulations from time to time in force thereunder but in so far only as such Act, as so amended, and regulations relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges shall apply to and in respect of every wharf (which term for the purposes of this section shall include any structure, landing place or facility where cargo may be loaded or discharged or where vessels may be berthed) to be hereafter erected, constructed or provided in Port Kembla Inner Harbour or upon lands adjoining and adjacent thereto as if the same were a public wharf and accordingly harbour and tonnage rates and berthing charges in accordance with the said Act, as so amended, and regulations will be payable in respect of all vessels berthed at any such wharf :

Provided that in respect of a vessel whilst berthed at a wharf which was erected under an agreement entered into in pursuance of section five of this Act by which the whole or part of the cost of construction of such wharf has been provided by the owner of such vessel the harbour and tonnage rates

rates and berthing charges to be paid in respect of that vessel and its cargo shall be such proportion of those which but for this proviso would be payable as shall be approved by the Governor.

5 **8.** Section three hundred and twenty-seven of the Local Government Act, 1919, as subsequently amended, shall not apply in respect of any subdivision of land made in connection with the improvement and development of Port Kembla Inner Harbour to be carried out in pursuance of this Act.

Section 327 of Local Government Act, 1919, not to apply to subdivisions.

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SCHEDULE.

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The whole of the work hereinbefore described shall be subject to such modifications and deviations as may be deemed necessary or desirable by the Constructing Authority.

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PART TWO.

Excavation and ancillary works intended to be carried out under an agreement which may be entered into in pursuance of this Act between the Minister for Public Works and Australian Iron & Steel Proprietary Limited on the lands adjacent to the West Basin and 25 which are owned by the Company referred to in this Part or are to be transferred or leased to the Company and having a total area of fifteen acres or thereabouts.

PART THREE.

The construction of berths, mooring dolphins, ramps and asso- 30 ciated facilities in the East Basin and contiguous areas.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968
[5c]

PORT KEMBLA INNER HARBOUR (FURTHER EXTENSIONS) BILL, 1968

EXPLANATORY NOTE

THE objects of this Bill are—

(a) to sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour as authorised works under the provisions of the Public Works Act, 1912, as subsequently amended, and

(b) to authorise the Minister for Public Works to enter into agreements for and in connection with the improvement and development of Port Kembla Inner Harbour and adjacent lands.

58921 136—

PROOF

No. , 1968.

A BILL

To sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour, including dredging and excavation work; to authorise the Minister for Public Works to negotiate and enter into agreements for the improvement and development of Port Kembla Inner Harbour; to amend the Public Works Act, 1912, as subsequently amended; and for purposes connected therewith.

[MR HUGHES—27 *November*, 1968.]

BE

58921 136—

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 "Port Kembla Inner Harbour (Further Extensions) Act, 1968". Short title.

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

(b) The said works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912, as subsequently amended.

(c) The Minister for Public Works is empowered to carry out the works described in the Schedule to this Act 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 subsequently amended, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the works described in the Schedule to this Act.

(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 subsequently amended, shall apply, mutatis mutandis, to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

3. The plan of the works described in the Schedule to this Act is the plan marked "Port Kembla Inner Harbour Further Extensions 1968" signed by the Minister for Public Works and countersigned by the Director of Public Works and deposited in the Public Office of the said Minister. The plan.

4.

4. The cost of carrying out the works described in the Schedule (Parts One, Two and Three) to this Act (exclusive of land exchanges and land acquisitions) is estimated at three million six hundred and twenty thousand dollars and such estimated cost shall not under any circumstances be exceeded by more than ten per centum. Estimated cost.

5. (1) The Minister for Public Works is hereby authorised to negotiate and enter into such agreements with Australian Iron & Steel Proprietary Limited, the Australian Coastal Shipping Commission, and other persons for and in connection with the improvement and development of Port Kembla Inner Harbour and contiguous areas as he may think proper. Any such agreement shall be subject to the concurrence of the Treasurer and approval of the Governor. Agreements.

(2) For the purposes of the improvement and development referred to in subsection one of this section the agreements that the Minister may enter into may include agreements—

(a) for repayment by users of the port facilities to be provided of part or the whole of the cost both of deepening the West and East Basins and for the maintenance thereof and provision of berths, mooring dolphins and other port and associated facilities,

(b) for exchanges, leasing and sale of lands,

(c) for the opening and closing of roads, and

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(3) The Minister for Public Works shall be the Constructing Authority in respect of any works to be carried out by him in pursuance of any such agreement and the provisions of section two of this Act shall apply, mutatis mutandis, to and in respect of such works.

6. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, Provision re public roads.

roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

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Provision of Harbour and Tonnage Rates Act, 1920, to apply.

7. The Harbour and Tonnage Rates Act, 1920, as subsequently amended, and the regulations from time to time in force thereunder but in so far only as such Act, as so amended, and regulations relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges shall apply to and in respect of every wharf (which term for the purposes of this section shall include any structure, landing place or facility where cargo may be loaded or discharged or where vessels may be berthed) to be hereafter erected, constructed or provided in Port Kembla Inner Harbour or upon lands adjoining and adjacent thereto as if the same were a public wharf and accordingly harbour and tonnage rates and berthing charges in accordance with the said Act, as so amended, and regulations will be payable in respect of all vessels berthed at any such wharf :

Provided that in respect of a vessel whilst berthed at a wharf which was erected under an agreement entered into in pursuance of section five of this Act by which the whole or part of the cost of construction of such wharf has been provided by the owner of such vessel the harbour and tonnage rates

rates and berthing charges to be paid in respect of that vessel and its cargo shall be such proportion of those which but for this proviso would be payable as shall be approved by the Governor.

5 **8.** Section three hundred and twenty-seven of the Local Government Act, 1919, as subsequently amended, shall not apply in respect of any subdivision of land made in connection with the improvement and development of Port Kembla Inner Harbour to be carried out in pursuance of this Act.

Section 327 of Local Government Act, 1919, not to apply to subdivisions.

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SCHEDULE.

DESCRIPTION OF WORKS.

PART ONE.

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15 such extension to the Inner Harbour to be constructed to depths of twenty-five, thirty-six and forty feet below Indian Spring Low Water.

The whole of the work hereinbefore described shall be subject to such modifications and deviations as may be deemed necessary or desirable by the Constructing Authority.

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PART TWO.

Excavation and ancillary works intended to be carried out under an agreement which may be entered into in pursuance of this Act between the Minister for Public Works and Australian Iron & Steel Proprietary Limited on the lands adjacent to the West Basin and
25 which are owned by the Company referred to in this Part or are to be transferred or leased to the Company and having a total area of fifteen acres or thereabouts.

PART THREE.

The construction of berths, mooring dolphins, ramps and asso-
30 ciated facilities in the East Basin and contiguous areas.

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

New South Wales

ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 67, 1968.

An Act to sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour, including dredging and excavation work; to authorise the Minister for Public Works to negotiate and enter into agreements for the improvement and development of Port Kembla Inner Harbour; to amend the Public Works Act, 1912, as subsequently amended; and for purposes connected therewith. [Assented to, 16th December, 1968.]

BE

P 62661 [5c]

Port Kembla Inner Harbour (Further Extensions).

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 "Port Kembla Inner Harbour (Further Extensions) Act, 1968".

Works sanctioned.

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

(b) The said works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912, as subsequently amended.

(c) The Minister for Public Works is empowered to carry out the works described in the Schedule to this Act 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 subsequently amended, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the works described in the Schedule to this Act.

(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 subsequently amended, shall apply, mutatis mutandis, 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 works described in the Schedule to this Act is the plan marked "Port Kembla Inner Harbour Further Extensions 1968" signed by the Minister for Public Works and countersigned by the Director of Public Works and deposited in the Public Office of the said Minister.

4.

4. The cost of carrying out the works described in the Schedule (Parts One, Two and Three) to this Act (exclusive of land exchanges and land acquisitions) is estimated at three million six hundred and twenty thousand dollars and such estimated cost shall not under any circumstances be exceeded by more than ten per centum. Estimated cost.

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Provided that in respect of a vessel whilst berthed at a wharf which was erected under an agreement entered into in pursuance of section five of this Act by which the whole or part of the cost of construction of such wharf has been provided by the owner of such vessel the harbour and tonnage rates

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PART THREE.

The construction of berths, mooring dolphins, ramps and associated facilities in the East Basin and contiguous areas.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

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, 11 *December,* 1968.

New South Wales

ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 67, 1968.

An Act to sanction and provide for the carrying out of certain works at and in connection with Port Kembla Inner Harbour, including dredging and excavation work; to authorise the Minister for Public Works to negotiate and enter into agreements for the improvement and development of Port Kembla Inner Harbour; to amend the Public Works Act, 1912, as subsequently amended; and for purposes connected therewith. [Assented to, 16th December, 1968.]

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.

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 "Port Kembla Inner Harbour (Further Extensions) Act, 1968".

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The plan.

3. The plan of the works described in the Schedule to this Act is the plan marked "Port Kembla Inner Harbour Further Extensions 1968" signed by the Minister for Public Works and countersigned by the Director of Public Works and deposited in the Public Office of the said Minister.

4. The cost of carrying out the works described in the Schedule (Parts One, Two and Three) to this Act (exclusive of land exchanges and land acquisitions) is estimated at three million six hundred and twenty thousand dollars and such estimated cost shall not under any circumstances be exceeded by more than ten per centum. Estimated cost.

5. (1) The Minister for Public Works is hereby authorised to negotiate and enter into such agreements with Australian Iron & Steel Proprietary Limited, the Australian Coastal Shipping Commission, and other persons for and in connection with the improvement and development of Port Kembla Inner Harbour and contiguous areas as he may think proper. Any such agreement shall be subject to the concurrence of the Treasurer and approval of the Governor. Agreements.

(2) For the purposes of the improvement and development referred to in subsection one of this section the agreements that the Minister may enter into may include agreements—

(a) for repayment by users of the port facilities to be provided of part or the whole of the cost both of deepening the West and East Basins and for the maintenance thereof and provision of berths, mooring dolphins and other port and associated facilities,

(b) for exchanges, leasing and sale of lands,

(c) for the opening and closing of roads, and

(d) for the acquisition of land.

(3) The Minister for Public Works shall be the Constructing Authority in respect of any works to be carried out by him in pursuance of any such agreement and the provisions of section two of this Act shall apply, mutatis mutandis, to and in respect of such works.

6. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, Provision re public roads.

roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

(2) No claim against the Minister, whether as a Constructing Authority or otherwise, for compensation shall arise from or in respect of anything done by him pursuant to subsection one of this section or from or in respect of the vesting pursuant to that subsection of any land in the Minister as Constructing Authority for the purposes of this Act.

Provision of Harbour and Tonnage Rates Act, 1920, to apply.

7. The Harbour and Tonnage Rates Act, 1920, as subsequently amended, and the regulations from time to time in force thereunder but in so far only as such Act, as so amended, and regulations relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges shall apply to and in respect of every wharf (which term for the purposes of this section shall include any structure, landing place or facility where cargo may be loaded or discharged or where vessels may be berthed) to be hereafter erected, constructed or provided in Port Kembla Inner Harbour or upon lands adjoining and adjacent thereto as if the same were a public wharf and accordingly harbour and tonnage rates and berthing charges in accordance with the said Act, as so amended, and regulations will be payable in respect of all vessels berthed at any such wharf :

Provided that in respect of a vessel whilst berthed at a wharf which was erected under an agreement entered into in pursuance of section five of this Act by which the whole or part of the cost of construction of such wharf has been provided by the owner of such vessel the harbour and tonnage rates

rates and berthing charges to be paid in respect of that vessel and its cargo shall be such proportion of those which but for this proviso would be payable as shall be approved by the Governor.

8. Section three hundred and twenty-seven of the Local Government Act, 1919, as subsequently amended, shall not apply in respect of any subdivision of land made in connection with the improvement and development of Port Kembla Inner Harbour to be carried out in pursuance of this Act.

Section 327 of Local Government Act, 1919, not to apply to subdivisions.

SCHEDULE.

DESCRIPTION OF WORKS.

PART ONE.

A further extension of Port Kembla Inner Harbour in the area known as Tom Thumb's Lagoon by sixty-seven acres or thereabouts, such extension to the Inner Harbour to be constructed to depths of twenty-five, thirty-six and forty feet below Indian Spring Low Water.

The whole of the work hereinbefore described shall be subject to such modifications and deviations as may be deemed necessary or desirable by the Constructing Authority.

PART TWO.

Excavation and ancillary works intended to be carried out under an agreement which may be entered into in pursuance of this Act between the Minister for Public Works and Australian Iron & Steel Proprietary Limited on the lands adjacent to the West Basin and which are owned by the Company referred to in this Part or are to be transferred or leased to the Company and having a total area of fifteen acres or thereabouts.

PART THREE.

The construction of berths, mooring dolphins, ramps and associated facilities in the East Basin and contiguous areas.

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

A. R. CUTLER,
Governor.

Government House,
Sydney, 16th December, 1968.