

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, 26 November, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1969.

An Act to require owners to construct works necessitated by subdivisions in irrigation trust districts; to make further provisions with respect to certain unpaid rates, charges and contributions; to make provisions with respect to conditions of residence on certain holdings within irrigation areas; to provide that, in certain circumstances, residential town land holdings within those areas shall not be transferred without consent; to increase certain penalties for offences; to validate certain matters; for these and other purposes to amend the Water Act, 1912, the Crown Lands Consolidation Act, 1913, the Farm Water Supplies Act, 1946, the
Rivers

Water, Crown Lands and Other Acts (Amendment).

Rivers and Foreshores Improvement Act, 1948, the Irrigation (Amendment) Act, 1941, the Hunter Valley Flood Mitigation Act, 1956, and certain other Acts; 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 "Water, Crown Lands and Other Acts (Amendment) Act, 1969". Short title.

2. The Water Act, 1912, is amended—

10 (a) by inserting in section one next after the matter relating to Division 3 of PART III the following new matter :—

Amendment of Act No. 44, 1912. Sec. 1. (Short title and division.)

DIVISION 3A.—*Construction of works on disposal of part of lands—s. 41A.*

15 (b) by omitting from the definition of "Joint water supply scheme" in section five the words "extends which is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work." and by inserting in lieu thereof the following words :—

Sec. 5. (Interpretation.)

extends, being a work that—

25 (a) is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work to which this Part extends; or

(b) is used or proposed to be used, otherwise than pursuant to a license granted under this Part before the commencement of

the

Water, Crown Lands and Other Acts (Amendment).

5 the Water, Crown Lands and Other Acts
 (Amendment) Act, 1969, to supply
 water for the purpose of irrigating a
 holding that is not a riparian holding,
 or any part thereof, where that water is,
 or is to be, conveyed wholly or partly
 by a work that is used or proposed to
 be used by any occupier or occupiers
 10 (not being the occupier or occupiers
 of the site of the work to which this
 Part extends) for the conveyance of water
 for any purpose pursuant to a right
 conferred by this Part or pursuant to
 a license, authority or permit granted
 15 under this Part.

- (c) by inserting next after Division 3 of Part III the ^{New} following new Division :— ^{Division}
 3A.

DIVISION 3A.—*Construction of works on disposal
 of part of lands.*

20 41A. (1) The provisions of subsection ten of
 section one hundred and forty-seven of this Act
 (paragraphs (b) and (h) excepted) shall, mutatis ^{Construction}
 mutandis, apply to and in respect of a trust district ^{of works on}
 constituted for the purposes of irrigation, or for ^{disposal of}
 25 purposes that include irrigation, in the same manner ^{part of}
 as they apply to and in respect of a district and a ^{holding.}
 provisional district constituted under Part VI of
 this Act and, for the purposes of that application,
 30 the reference in subparagraph (iii) of paragraph
 (f) of that subsection to section one hundred and
 forty-eight of this Act shall be construed as a
 reference to sections sixty-three and seventy-three
 of this Act.

35 (2) Where a notification under subsection
 one of section thirty-seven of this Act has been
 published in the Gazette, whether before or after

the

Water, Crown Lands and Other Acts (Amendment).

5 the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, this section shall, in respect of a trust district to which the notification relates, have effect as if the notification had not been so published.

10 (3) All works constructed in pursuance of this section shall, upon their completion, be handed over to the trust by the owner or the Commission, as the case may be, without charge, and the trust shall take over, administer and manage the said works upon the terms and conditions prescribed in relation to works of the trust.

15 (4) The rates for water in respect of part or parts of a holding disposed of and part or parts of a holding retained by an owner shall be payable notwithstanding that the means of supplying and conveying water from the works of the trust district in which the holding is situated, and of measuring that supply, have not been provided in respect of all those parts or any of them.

20 (d) by omitting from paragraph (e) of subsection three of section fifty-four the word "supply." and by inserting in lieu thereof the following words :—

Sec. 54.
(Power of trustees to enter and inspect.)

supply; or

25 (f) if any rates fixed and levied in respect of the land are, and have been for a period of not less than six months after the due date of payment, unpaid and—

30 (i) where the trust was constituted by three trustees, the chairman of the trust and all the elected trustees; or

35 (ii) where the trust was constituted by five trustees, the chairman of the trust and a majority of the elected trustees,

approve of the supply of water to the land being cut off or withheld.

Water, Crown Lands and Other Acts (Amendment).

3. The Water Act, 1912, is further amended—

Further
amendment
of Act No.
44, 1912.

- 5 (a) by inserting in subsection two of section 55B after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 10 (b) by inserting in paragraph (b) of subsection two of section one hundred and thirty-nine after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 15 (c) by inserting in paragraph (b) of subsection two of section one hundred and fifty-nine after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 20 (d) by inserting in paragraph (b) of subsection one of section one hundred and seventy-five after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”.
- 25
- 30

Sec. 55B.
(Interest
on overdue
rates and
charges.)Sec. 139.
(Assessment
of rates
and charges.)Sec. 159.
(Rates.)Sec. 175.
(Rates and
contribu-
tions.)

Water, Crown Lands and Other Acts (Amendment).

4. (1) The Crown Lands Consolidation Act, 1913, is amended— Amendment of Act No. 7, 1913.

5 (a) by omitting subsection five of section one hundred and forty-two and by inserting in lieu thereof the following subsections :— Sec. 142. (Conditions, &c., of irrigation farm purchases.)

10 (5) Subject to this section and section 145B of this Act, a condition of residence, to be performed by the holder for the time being, shall attach, and shall be deemed always to have attached, to an irrigation farm purchase—

(a) where the irrigation farm purchase is not a conversion of a lease, for a period of five years after the granting of the application for the irrigation farm purchase; or

15 (b) where the irrigation farm purchase is a conversion of a lease, for the residue of the period of the condition of residence attached, or deemed to have been attached, to the lease by section 142D of this Act,

20 being residence commencing, in the case referred to in paragraph (a) of this subsection, within three months after the granting of the application for the purchase.

25 (5A) The provisions of subsection five of this section shall not apply to an irrigation farm purchase in respect of which a certificate of conformity has been issued under section 142C of this Act or in respect of which the Commission has certified as to improvements under subsection five of this section as in force immediately before the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969.

(b)

Water, Crown Lands and Other Acts (Amendment).

(b) (i) by omitting subsection four of section 142D and by inserting in lieu thereof the following subsections :—

Sec. 142D.
(Conditions,
&c., of
leases within
irrigation
areas.)

5 (4) Subject to this section and section
145B of this Act, a condition of residence, to
be performed by the holder for the time being,
shall attach, and shall be deemed always to
10 have attached, for a period of five years after
the granting of the application for the lease,
to a lease other than a town land lease, being
residence commencing within three months
after the application for the holding is granted.

(4A) The provisions of subsection four of
this section shall not apply to—

15 (a) a lease in respect of which a certificate
has been issued under subsection four,
five or six of this section as in force
immediately before the commence-
20 ment of the Water, Crown Lands and
Other Acts (Amendment) Act, 1969;
or

(b) a non-irrigable lease where the Gazette
notification making the land available
for disposal provides that a residence
25 condition shall not attach thereto.

(ii) by omitting subsection five of the same
section;

30 (iii) by omitting from subsection six of the same
section the words “cease to have effect upon
the issue by the Commission of a certificate
in that behalf in the prescribed form” and by
inserting in lieu thereof the words “, subject to
subsection four of this section, cease to have
effect on the commencement of the Water,
35 Crown Lands and Other Acts (Amendment)
Act, 1969”;

(c)

Water, Crown Lands and Other Acts (Amendment).

- (c) by inserting next after section 142D the following New sec. 142E.
short heading and new section :—

Issue of certificates of conformity as regards leases.

5 142E. The Commission may at any time and on Lease certificate of conformity.
payment of the prescribed fee, if it is satisfied that
all conditions of a lease have been duly complied
with, issue a certificate of conformity in the pre-
scribed form in respect of the lease and may, upon
10 satisfactory proof being given of the loss or des-
truction of any such certificate, and upon payment
of the prescribed fee, issue a replacement certificate
to the person entitled thereto.

- (d) (i) by omitting from paragraph (d) of subsection Sec. 145A.
one of section 145A the word "with." and (Restrictions on transfer of holdings.)
15 by inserting in lieu thereof the following
words :—

with ;

(e) a town land lease notified in the Gazette
20 before or after the commencement of
the Water, Crown Lands and Other
Acts (Amendment) Act, 1969, as
available for the purpose of residence
or a town land purchase so notified
or a town land purchase which is a
25 conversion of such a lease shall not
be transferred either wholly or in part
unless the special conditions applicable
thereto relating to improvements have
been complied with to the satisfaction
30 of the Commission.

- (ii) by inserting in subsection four of the same
section after the words "town land purchase"
the words "(not being a town land lease or a
town land purchase to which the provisions
of paragraph (e) of subsection one of this
35 section apply)";

(e)

Water, Crown Lands and Other Acts (Amendment).

(e) by omitting subsections one and two of section 145B and by inserting in lieu thereof the following subsections :— Sec. 145B.
(Suspension,
&c., of
condition.)

5 (1) Subject to subsection (1A) of this section, the Commission in the case of any lease or purchase may—

10 (a) for such periods as it may determine, suspend or remit wholly or partly the condition of residence attached to a holding, or permit the condition to be carried out anywhere within a reasonable working distance of the holding, or permit the condition to be carried out upon any one of two or more holdings to which a residence condition is attached, being holdings held by one person or members of one family; or

15 (b) grant exemption either wholly or partly from compliance with, or grant an extension of the time for performance of, any special or other condition not being a condition relating to the payment of money; or

20 (c) alter, modify or cancel any special or other condition not being a condition relating to the payment of money,

25 subject to such terms, stipulations and conditions as it may deem fit.

30 (1A) Where the whole or any part of the land held under lease is within an area of erosion hazard notified under the Soil Conservation Act, 1938, or within a catchment area notified or constituted under that Act, the alteration, modification or cancellation of any condition of the lease shall not be made except upon the recommendation of and subject to any further conditions recommended by the Catchment Areas Protection Board.

35 (1B) The non-performance or breach of any term, stipulation or condition imposed under subsection one of this section, or by the Special Land Board

Water, Crown Lands and Other Acts (Amendment).

5 Board or the Land and Valuation Court upon a reference, or an appeal, under this section, or of any term or stipulation lawfully imposed by the Commission or the Minister under this Act shall render a holding in respect of which it is imposed liable to be forfeited.

10 (2) Where the decision of the Commission upon an application made pursuant to paragraph (a) of subsection one of this section is that the application be refused or where the applicant is dissatisfied with any terms, stipulations and conditions imposed by the Commission in granting an application made pursuant to that paragraph, the applicant may, by notice in writing lodged with the Commission within
15 twenty-eight days after notice of that decision has been given to him by the Commission, require that the application be referred to the Special Land Board for inquiry and determination whereupon the application shall be referred by the
20 Commission accordingly.

25 (2A) The provisions of subsections three, four and five of section 147A of this Act shall apply, mutatis mutandis, where a determination is made by the Special Land Board upon a reference under subsection two of this section.

(2) The amendment made by paragraph (c) of subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

30 5. The Farm Water Supplies Act, 1946, is amended— Amendment of Act No. 22, 1946.

(a) by omitting from section eight the words “certifying that the works have been carried out or are being carried out in a satisfactory manner and in accordance with the approval of the Commission.” Sec. 8. (Payment of advance where works not carried out by Commission.)

For

Water, Crown Lands and Other Acts (Amendment).

For the purposes of this section, the Commission may by its officers and servants enter the lands of the owner and inspect the works" and by inserting in lieu thereof the words "notifying the Bank that the works have been completed, or are partly completed, as the case may be";

(b) by inserting at the end of the same section the following new subsection :—

(2) The Commission may, by its officers and servants, enter any land for the purpose of inspecting works referred to in subsection one of this section.

6. The Rivers and Foreshores Improvement Act, 1948, is amended by inserting in paragraph (b) of subsection one of section nineteen after the words "five per centum per annum" the words "in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy".

Amendment
of Act No.
20, 1948.

Sec. 19.
(Rates and
contribu-
tions.)

7. The Irrigation (Amendment) Act, 1941, is amended by omitting subsection one of section thirteen and by inserting in lieu thereof the following subsections :—

Amendment
of Act No.
54, 1941.

(1) Overdue rates payable under this Part shall be increased in accordance with this section.

Sec. 13.
(Overdue
rates, extra
charge.)

(1A) If the rates are unpaid at the expiration of three months after the due date of payment, the amount due shall be increased by a sum calculated at the rate of five per centum per annum in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy, and the increase shall be deemed to be part of the rates.

(1B)

Water, Crown Lands and Other Acts (Amendment).

(1B) The calculation under subsection (1A) of this section shall be made only in respect of as many complete months as have expired between the date on which the payment became due and the date of payment, excluding any remaining portion of a month.

8. (1) The Hunter Valley Flood Mitigation Act, 1956, is amended—

Amendment
of Act No.
10, 1956.

- (a) by omitting from subsection one of section thirty-one the words "on any land" and by inserting in lieu thereof the words "before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969";
- (b) by inserting in the same subsection after the words "pumping plant" the words "installed on any land was or";
- (c) by inserting in subsection two of the same section after the words "diversion of the River" the words "or the carrying out of other work referred to in subsection one of this section";
- (d) by inserting in paragraph (a) of the same subsection after the words "on the new course of" the words "or elsewhere on";
- (e) by omitting from subsection four of the same section the words "deprivation of" and by inserting in lieu thereof the words "deprivation, total or partial, of or adverse effect on".

Sec. 31.
(Works of
river
diversion
causing
deprivation
of riparian
rights.)

(2) Any act, matter or thing done or commenced before the commencement of this Act that could only have been validly done or commenced had the Hunter Valley Flood Mitigation Act, 1956, as amended by subsection one of this section, been in force at the time the act, matter or thing was done or commenced shall be deemed to have been done or commenced pursuant to that Act, as so amended.

Water, Crown Lands and Other Acts (Amendment).

9. (1) The Hunter Valley Flood Mitigation Act, 1956, is in this section referred to as the Principal Act. Payment of compensation in certain cases.

(2) This section shall be read and construed with section thirty-one of the Principal Act.

5 (3) In such cases and, in any particular case, to such extent, as the Minister with the concurrence of the Treasurer directs, the Constructing Authority may pay compensation to a riparian owner who, before the commencement of this Act, provided alternative works rendered necessary by the carrying
10 out by the Constructing Authority before that commencement of "other work" as defined in subsection (1A) of section thirty-one of the Principal Act, being alternative works having the like objects to those the Constructing Authority would
15 out had the Principal Act, as amended by this Act, been in force when that other work was carried out.

(4) For the purposes of section thirty-one of the Principal Act, as amended by this Act, alternative works in respect of which compensation is paid under this section shall
20 be deemed to have been provided by the Constructing Authority in conformity with subsection two of that section, and for the purposes of section thirty-seven of that Act, as so amended, compensation paid under this section shall be deemed to have
25 been compensation payable by the Constructing Authority in accordance with the provisions of that Act, as so amended.

(5) Nothing in this section shall be construed as conferring on any person a right to compensation.

(6) Any payment made by the Constructing Authority before the commencement of this Act that would only have
30 been valid had this section and the Principal Act, as amended by this Act, been in force at the time the payment was made shall be deemed to have been a payment made pursuant to subsection three of this section.

10. An Act specified in the First Column of the Schedule Amendment of certain Acts.
35 to this Act is amended to the extent and in the manner specified opposite that Act in the Second Column of that Schedule.

THE

Water, Crown Lands and Other Acts (Amendment).

THE SCHEDULE.

Sec. 10.

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
54 Vic. No. 7	Wentworth Irrigation.	Section 47 ..	Omit "forty dollars"; insert "one hundred dollars".
10		Section 48 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Section 49 ..	Omit "twenty dollars"; insert "fifty dollars".
No. 57, 1902	Hay Irrigation	Section 42 ..	Omit "forty dollars"; insert "one hundred dollars".
15		Section 43 ..	Omit "forty dollars"; insert "one hundred dollars".
		Section 44 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Section 45 ..	Omit "twenty dollars"; insert "fifty dollars".
20 No. 44, 1912	Water	Section 4c ..	Omit "forty dollars"; insert "one hundred dollars".
25			Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 17B.	Omit "forty dollars"; insert "one hundred dollars".
30			Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
35		Subsection (2) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (4) of section 18E.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
		Section 20D ..	Omit "two hundred dollars"; insert "five hundred dollars".
40		Subsection (1) of section 20H.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
45			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 21A.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
50			Omit "forty dollars"; insert "one hundred dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	
10		Subsection (2) of section 22.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Section 23 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (4) of section 26D.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
20		Paragraph (f) of subsection (1) of section 27.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
25		Subsection (2) of section 65.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 65.	Omit "forty dollars"; insert "one hundred dollars".
30		Section 71 ..	Omit "one hundred dollars"; insert "one hundred dollars"; insert "ten dollars"; insert "twenty-five dollars".
35		Paragraph (m) of subsection (1) of section 74.	Omit "forty dollars"; insert "one hundred dollars".
40		Subsection (1) of section 75.	Omit "twenty dollars"; insert "fifty dollars".
45		Section 100 ..	Omit "two hundred dollars"; insert "five hundred dollars".
50		Subsection (2) of section 112.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (2) of section 112.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (4) of section 115A.	Omit "ten dollars"; insert "twenty-five dollars".
		Section 118 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars."
			Omit "ten dollars"; insert "twenty-five dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	
		Subsection (2) of section 118A.	Omit "forty dollars"; insert "one hundred dollars". Omit "four dollars"; insert "ten dollars".
10		Subsection (5) of section 118A.	Omit "forty dollars"; insert "one hundred dollars". Omit "four dollars"; insert "ten dollars".
15		Subsection (1) of section 120.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Section 121 ..	Omit "two hundred dollars"; insert "five hundred dollars".
20		Section 122 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Subsection (2) of section 123.	Omit "forty dollars"; insert "one hundred dollars".
25		Subsection (2) of section 124.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (3) of section 124.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30		Subsection (1) of section 129.	Omit "forty dollars"; insert "one hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (2) of section 148.	Omit "forty dollars"; insert "one hundred dollars".
35		Subsection (3) of section 148.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Subsection (1) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
40		Subsection (2) of section 148A.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
45		Subsection (2) of section 149.	Omit "forty dollars"; insert "one hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (2) of section 163.	Omit "forty dollars"; insert "one hundred dollars".
50		Subsection (3) of section 163.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	Section 164 .. Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".
10		Subsection (2) of section 177.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (3) of section 177.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (3) of section 183.	Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".
20	No. 73, 1912	Irrigation. . .	Subsection (3) of section 9A. Omit "two hundred dollars"; insert "five hundred dollars". Subsection (1) of section 17A. Omit "forty dollars"; insert "one hundred dollars". Subsection (2) of section 17A. Omit "ten dollars"; insert "twenty-five dollars".
25		Subsection (3) of section 17A.	Omit "forty dollars"; insert "one hundred dollars".
		Section 17AA. . .	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30		Section 27 ..	Omit "forty dollars"; insert "one hundred dollars"; Omit "two hundred dollars"; insert "five hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".
35		Subsection (1) of section 28.	Omit "twenty dollars"; insert "fifty dollars".
40	No. 22, 1946	Farm Water Supplies.	Section 17 .. Omit "one hundred dollars"; insert "two hundred and fifty dollars". Section 18 .. Omit "forty dollars"; insert "one hundred dollars".
45	No. 20, 1948	Rivers and Foreshores Improvement.	Subsection (10) of section 4. Omit "forty dollars"; insert "one hundred dollars". Subsection (11) of section 4. Omit "one hundred dollars"; insert "two hundred and fifty dollars".
50		Subsection (3) of section 25.	Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
No. 10, 1956	Hunter Valley Flood Mitigation.	Section 46 ..	Omit "two hundred dollars"; insert "five hundred dollars".
10		Section 47 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (2) of section 53.	Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "ten dollars"; insert "twenty-five dollars".

BY AUTHORITY:

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

[15c]

No. , 1969.

A BILL

To require owners to construct works necessitated by subdivisions in irrigation trust districts; to make further provisions with respect to certain unpaid rates, charges and contributions; to make provisions with respect to conditions of residence on certain holdings within irrigation areas; to provide that, in certain circumstances, residential town land holdings within those areas shall not be transferred without consent; to increase certain penalties for offences; to validate certain matters; for these and other purposes to amend the Water Act, 1912, the Crown Lands Consolidation Act, 1913, the Farm Water Supplies Act, 1946, the
Rivers

Water, Crown Lands and Other Acts (Amendment).

Rivers and Foreshores Improvement Act, 1948, the Irrigation (Amendment) Act, 1941, the Hunter Valley Flood Mitigation Act, 1956, and certain other Acts; and for purposes connected therewith.

[MR BEALE—4 November, 1969.]

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 "Water, Crown Lands and Other Acts (Amendment) Act, 1969". Short title.

2. The Water Act, 1912, is amended—

10 (a) by inserting in section one next after the matter relating to Division 3 of PART III the following new matter :— Amendment of Act No. 44, 1912. Sec. 1. (Short title and division.)

DIVISION 3A.—Construction of works on disposal of part of lands—s. 41A.

15 (b) by omitting from the definition of "Joint water supply scheme" in section five the words "extends which is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work." and by inserting in lieu thereof the following words :— Sec. 5. (Interpretation.)

20 extends, being a work that—
25 (a) is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work to which this Part extends; or

(b)

Water, Crown Lands and Other Acts (Amendment).

5 (b) is used or proposed to be used, otherwise
than pursuant to a license granted under
this Part before the commencement of
the Water, Crown Lands and Other Acts
10 (Amendment) Act, 1969, to supply
water for the purpose of irrigating a
holding that is not a riparian holding,
or any part thereof, where that water is,
or is to be, conveyed wholly or partly
15 by a work that is used or proposed to
be used by any occupier or occupiers
(not being the occupier or occupiers
of the site of the work to which this
Part extends) for the conveyance of water
for any purpose pursuant to a right
conferred by this Part or pursuant to
a license, authority or permit granted
under this Part.

20 (c) by inserting next after Division 3 of Part III the following new Division :—
New
Division
3A.

DIVISION 3A.—*Construction of works on disposal
of part of lands.*

25 41A. (1) The provisions of subsection ten of
section one hundred and forty-seven of this Act
(paragraphs (b) and (h) excepted) shall, mutatis
mutandis, apply to and in respect of a trust district
constituted for the purposes of irrigation, or for
30 purposes that include irrigation, in the same manner
as they apply to and in respect of a district and a
provisional district constituted under Part VI of
this Act and, for the purposes of that application,
the reference in subparagraph (iii) of paragraph
(f) of that subsection to section one hundred and
35 forty-eight of this Act shall be construed as a
reference to sections sixty-three and seventy-three
of this Act.

(2)

Water, Crown Lands and Other Acts (Amendment).

5 (2) Where a notification under subsection one of section thirty-seven of this Act has been published in the Gazette, whether before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, this section shall, in respect of a trust district to which the notification relates, have effect as if the notification had not been so published.

10 (3) All works constructed in pursuance of this section shall, upon their completion, be handed over to the trust by the owner or the Commission, as the case may be, without charge, and the trust shall take over, administer and manage the said works upon the terms and conditions prescribed in relation to works of the trust.

20 (4) The rates for water in respect of part or parts of a holding disposed of and part or parts of a holding retained by an owner shall be payable notwithstanding that the means of supplying and conveying water from the works of the trust district in which the holding is situated, and of measuring that supply, have not been provided in respect of all those parts or any of them.

25 (d) by omitting from paragraph (e) of subsection three of section fifty-four the word "supply." and by inserting in lieu thereof the following words :— Sec. 54. (Power of trustees to enter and inspect.)

supply; or

30 (f) if any rates fixed and levied in respect of the land are, and have been for a period of not less than six months after the due date of payment, unpaid and the chairman of the trust consents to the supply of water to the land being cut off or withheld.

Water, Crown Lands and Other Acts (Amendment).

3. The Water Act, 1912, is further amended—

Further
amendment
of Act No.
44, 1912.

- 5 (a) by inserting in subsection two of section 55B after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 10 (b) by inserting in paragraph (b) of subsection two of section one hundred and thirty-nine after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 15 (c) by inserting in paragraph (b) of subsection two of section one hundred and fifty-nine after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 20 (d) by inserting in paragraph (b) of subsection one of section one hundred and seventy-five after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”.
- 25
- 30

Water, Crown Lands and Other Acts (Amendment).

4. (1) The Crown Lands Consolidation Act, 1913, is amended— Amendment of Act No. 7, 1913.

5 (a) by omitting subsection five of section one hundred and forty-two and by inserting in lieu thereof the following subsections :— Sec. 142. (Conditions, &c., of irrigation farm purchases.)

10 (5) Subject to this section and section 145B of this Act, a condition of residence, to be performed by the holder for the time being, shall attach, and shall be deemed always to have attached, to an irrigation farm purchase—

(a) where the irrigation farm purchase is not a conversion of a lease, for a period of five years after the granting of the application for the irrigation farm purchase ; or

15 (b) where the irrigation farm purchase is a conversion of a lease, for the residue of the period of the condition of residence attached, or deemed to have been attached, to the lease by section 142D of this Act,

20 being residence commencing, in the case referred to in paragraph (a) of this subsection, within three months after the granting of the application for the purchase.

25 (5A) The provisions of subsection five of this section shall not apply to an irrigation farm purchase in respect of which a certificate of conformity has been issued under section 142C of this Act or in respect of which the Commission has certified as to improvements under subsection five of this section as in force immediately before the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969.

30 (b)

Water, Crown Lands and Other Acts (Amendment).

(b) (i) by omitting subsection four of section 142D and by inserting in lieu thereof the following subsections :—

Sec. 142D.
(Conditions,
&c., of
leases within
irrigation
areas.)

5 (4) Subject to this section and section 145B of this Act, a condition of residence, to be performed by the holder for the time being, shall attach, and shall be deemed always to have attached, for a period of five years after the granting of the application for the lease, to a lease other than a town land lease, being residence commencing within three months after the application for the holding is granted.

10 (4A) The provisions of subsection four of this section shall not apply to—

15 (a) a lease in respect of which a certificate has been issued under subsection four, five or six of this section as in force immediately before the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969; or

20 (b) a non-irrigable lease where the Gazette notification making the land available for disposal provides that a residence condition shall not attach thereto.

25 (ii) by omitting subsection five of the same section;

30 (iii) by omitting from subsection six of the same section the words "cease to have effect upon the issue by the Commission of a certificate in that behalf in the prescribed form" and by inserting in lieu thereof the words ", subject to subsection four of this section, cease to have effect on the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969";

(c)

Water, Crown Lands and Other Acts (Amendment).

- (c) by inserting next after section 142D the following short heading and new section :—

New sec.
142E.

Issue of certificates of conformity as regards leases.

5 142E. The Commission may at any time and on payment of the prescribed fee, if it is satisfied that all conditions of a lease have been duly complied with, issue a certificate of conformity in the prescribed form in respect of the lease and may, upon satisfactory proof being given of the loss or destruction of any such certificate, and upon payment of the prescribed fee, issue a replacement certificate to the person entitled thereto.

Lease
certificate
of con-
formity.

- 15 (d) (i) by omitting from paragraph (d) of subsection one of section 145A the word "with." and by inserting in lieu thereof the following words :—

Sec. 145A.
(Restrictions
on transfer
of holdings.)

with ;

20 (e) a town land lease notified in the Gazette before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, as available for the purpose of residence or a town land purchase so notified or a town land purchase which is a conversion of such a lease shall not be transferred either wholly or in part unless the special conditions applicable thereto relating to improvements have been complied with to the satisfaction of the Commission.

- 35 (ii) by inserting in subsection four of the same section after the words "town land purchase" the words "(not being a town land lease or a town land purchase to which the provisions of paragraph (e) of subsection one of this section apply)";

(e)

Water, Crown Lands and Other Acts (Amendment).

(e) by omitting subsections one and two of section 145B and by inserting in lieu thereof the following subsections :—

Sec. 145B.
(Suspension,
&c., of
condition.)

5 (1) Subject to subsection (1A) of this section, the Commission in the case of any lease or purchase may—

10 (a) for such periods as it may determine, suspend or remit wholly or partly the condition of residence attached to a holding, or permit the condition to be carried out anywhere within a reasonable working distance of the holding, or permit the condition to be carried out upon any one of two or more holdings to which a residence condition is attached, being holdings held by one person or members of one family; or

15 (b) grant exemption either wholly or partly from compliance with, or grant an extension of the time for performance of, any special or other condition not being a condition relating to the payment of money; or

20 (c) alter, modify or cancel any special or other condition not being a condition relating to the payment of money,

25 subject to such terms, stipulations and conditions as it may deem fit.

30 (1A) Where the whole or any part of the land held under lease is within an area of erosion hazard notified under the Soil Conservation Act, 1938, or within a catchment area notified or constituted under that Act, the alteration, modification or cancellation of any condition of the lease shall not be made except upon the recommendation of and subject to any further conditions recommended by the Catchment Areas Protection Board.

35 (1B) The non-performance or breach of any term, stipulation or condition imposed under subsection one of this section, or by the Special Land

Board

Water, Crown Lands and Other Acts (Amendment).

5 Board or the Land and Valuation Court upon a reference, or an appeal, under this section, or of any term or stipulation lawfully imposed by the Commission or the Minister under this Act shall render a holding in respect of which it is imposed liable to be forfeited.

10 (2) Where the decision of the Commission upon an application made pursuant to paragraph (a) of subsection one of this section is that the application be refused or where the applicant is dissatisfied with any terms, stipulations and conditions imposed by the Commission in granting an application made pursuant to that paragraph, the applicant may, by notice in writing lodged with the Commission with-
15 in twenty-eight days after notice of that decision has been given to him by the Commission, require that the application be referred to the Special Land Board for inquiry and determination whereupon the application shall be referred by the
20 Commission accordingly.

25 (2A) The provisions of subsections three, four and five of section 147A of this Act shall apply, mutatis mutandis, where a determination is made by the Special Land Board upon a reference under subsection two of this section.

(2) The amendment made by paragraph (c) of subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

30 5. The Farm Water Supplies Act, 1946, is amended— Amendment of Act No. 22, 1946.

(a) by omitting from section eight the words “certifying that the works have been carried out or are being carried out in a satisfactory manner and in accordance with the approval of the Commission.” Sec. 8. (Payment of advance where works not carried out by Commission.)

For mission.)

Water, Crown Lands and Other Acts (Amendment).

5 For the purposes of this section, the Commission may by its officers and servants enter the lands of the owner and inspect the works” and by inserting in lieu thereof the words “notifying the Bank that the works have been completed, or are partly completed, as the case may be”;

(b) by inserting at the end of the same section the following new subsection :—

10 (2) The Commission may, by its officers and servants, enter any land for the purpose of inspecting works referred to in subsection one of this section.

6. The Rivers and Foreshores Improvement Act, 1948, is amended by inserting in paragraph (b) of subsection one of section nineteen after the words “five per centum per annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”.
Amendment of Act No. 20, 1948.
Sec. 19. (Rates and contributions.)

7. The Irrigation (Amendment) Act, 1941, is amended by omitting subsection one of section thirteen and by inserting in lieu thereof the following subsections :—
Amendment of Act No. 54, 1941.

25 (1) Overdue rates payable under this Part shall be increased in accordance with this section.
Sec. 13. (Overdue rates, extra charge.)

30 (1A) If the rates are unpaid at the expiration of three months after the due date of payment, the amount due shall be increased by a sum calculated at the rate of five per centum per annum in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy, and the increase shall be deemed to be part of the rates.

(1B)

Water, Crown Lands and Other Acts (Amendment).

5 (1B) The calculation under subsection (1A) of this section shall be made only in respect of as many complete months as have expired between the date on which the payment became due and the date of payment, excluding any remaining portion of a month.

8. (1) The Hunter Valley Flood Mitigation Act, 1956, is amended— Amendment of Act No. 10, 1956.

- 10 (a) by omitting from subsection one of section thirty-one the words "on any land" and by inserting in lieu thereof the words "before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969"; Sec. 31. (Works of river diversion causing deprivation of riparian rights.)
- 15 (b) by inserting in the same subsection after the words "pumping plant" the words "installed on any land was or";
- (c) by inserting in subsection two of the same section after the words "diversion of the River" the words "or the carrying out of other work referred to in subsection one of this section";
- 20 (d) by inserting in paragraph (a) of the same subsection after the words "on the new course of" the words "or elsewhere on";
- 25 (e) by omitting from subsection four of the same section the words "deprivation of" and by inserting in lieu thereof the words "deprivation, total or partial, of or adverse effect on".

30 (2) Any act, matter or thing done or commenced before the commencement of this Act that could only have been validly done or commenced had the Hunter Valley Flood Mitigation Act, 1956, as amended by subsection one of this section, been in force at the time the act, matter or thing was done or commenced shall be deemed to have been done or commenced pursuant to that Act, as so amended.

Water, Crown Lands and Other Acts (Amendment).

9. (1) The Hunter Valley Flood Mitigation Act, 1956, is in this section referred to as the Principal Act. Payment of compensation in certain cases.

(2) This section shall be read and construed with section thirty-one of the Principal Act.

5 (3) In such cases and, in any particular case, to such extent, as the Minister with the concurrence of the Treasurer directs, the Constructing Authority may pay compensation to a riparian owner who, before the commencement of this Act, provided alternative works rendered necessary by the carrying
10 out by the Constructing Authority before that commencement of "other work" as defined in subsection (1A) of section thirty-one of the Principal Act, being alternative works having the like objects to those the Constructing Authority would have been required by subsection two of that section to carry
15 out had the Principal Act, as amended by this Act, been in force when that other work was carried out.

(4) For the purposes of section thirty-one of the Principal Act, as amended by this Act, alternative works in respect of which compensation is paid under this section shall
20 be deemed to have been provided by the Constructing Authority in conformity with subsection two of that section, and for the purposes of section thirty-seven of that Act, as so amended, compensation paid under this section shall be deemed to have been compensation payable by the Constructing Authority in
25 accordance with the provisions of that Act, as so amended.

(5) Nothing in this section shall be construed as conferring on any person a right to compensation.

(6) Any payment made by the Constructing Authority before the commencement of this Act that would only have
30 been valid had this section and the Principal Act, as amended by this Act, been in force at the time the payment was made shall be deemed to have been a payment made pursuant to subsection three of this section.

10. An Act specified in the First Column of the Schedule to this Act is amended to the extent and in the manner specified opposite that Act in the Second Column of that Schedule. Amendment of certain Acts.

Water, Crown Lands and Other Acts (Amendment).

THE SCHEDULE.

Sec. 10.

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
54 Vic. No. 7	Wentworth Irrigation.	Section 47 ..	Omit "forty dollars"; insert "one hundred dollars".
		Section 48 ..	Omit "two hundred dollars"; insert "five hundred dollars".
10		Section 49 ..	Omit "twenty dollars"; insert "fifty dollars".
No. 57, 1902	Hay Irrigation	Section 42 ..	Omit "forty dollars"; insert "one hundred dollars".
		Section 43 ..	Omit "forty dollars"; insert "one hundred dollars".
15		Section 44 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Section 45 ..	Omit "twenty dollars"; insert "fifty dollars".
20 No. 44, 1912	Water	Section 4c ..	Omit "forty dollars"; insert "one hundred dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
25			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 17B.	Omit "forty dollars"; insert "one hundred dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
30			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (2) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
35		Subsection (4) of section 18E.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
		Section 20D ..	Omit "two hundred dollars"; insert "five hundred dollars".
40		Subsection (1) of section 20H.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "ten dollars"; insert "twenty-five dollars".
45		Subsection (1) of section 21A.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
			Omit "forty dollars"; insert "one hundred dollars".
50			

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	
		Subsection (2) of section 22.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
10		Section 23 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Subsection (4) of section 26D.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Paragraph (f) of subsection (1) of section 27.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Subsection (2) of section 65.	Omit "ten dollars"; insert "twenty-five dollars".
20		Subsection (3) of section 65.	Omit "forty dollars"; insert "one hundred dollars".
		Section 71 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
25		Section 71 ..	Omit "forty dollars"; insert "one hundred dollars".
		Paragraph (m) of subsection (1) of section 74.	Omit "ten dollars"; insert "twenty-five dollars".
30		Subsection (1) of section 75.	Omit "forty dollars"; insert "one hundred dollars".
		Section 100 ..	Omit "twenty dollars"; insert "fifty dollars".
35		Section 100 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (2) of section 112.	Omit "forty dollars"; insert "one hundred dollars".
40		Subsection (2) of section 112.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (4) of section 115A.	Omit "ten dollars"; insert "twenty-five dollars".
45		Section 118 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Section 118 ..	Omit "ten dollars"; insert "twenty-five dollars".
50		Section 118 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars."
			Omit "ten dollars"; insert "twenty-five dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	
		Subsection (2) of section 118A.	Omit "forty dollars"; insert "one hundred dollars".
10		Subsection (5) of section 118A.	Omit "four dollars"; insert "ten dollars".
		Subsection (1) of section 120.	Omit "forty dollars"; insert "one hundred dollars".
15		Section 121 ..	Omit "four dollars"; insert "ten dollars".
		Section 122 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
20		Subsection (2) of section 123.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (2) of section 124.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
25		Subsection (3) of section 124.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (1) of section 129.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30		Subsection (2) of section 148.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (3) of section 148.	Omit "ten dollars"; insert "twenty-five dollars".
35		Subsection (1) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (2) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
40		Subsection (3) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (2) of section 149.	Omit "forty dollars"; insert "one hundred dollars".
45		Subsection (2) of section 163.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 163.	Omit "forty dollars"; insert "one hundred dollars".
50		Subsection (3) of section 163.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	Section 164 .. Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".
10		Subsection (2) of section 177.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (3) of section 177.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (3) of section 183.	Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".
20	No. 73, 1912	Irrigation. ..	Subsection (3) of section 9A. Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (1) of section 17A.	Omit "forty dollars"; insert "one hundred dollars".
25		Subsection (2) of section 17A.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 17A.	Omit "forty dollars"; insert "one hundred dollars".
		Section 17AA. ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30		Section 27 ..	Omit "forty dollars"; insert "one hundred dollars"; Omit "two hundred dollars"; insert "five hundred dollars".
35		Subsection (1) of section 28.	Omit "ten dollars"; insert "twenty-five dollars"; Omit "twenty dollars"; insert "fifty dollars".
40	No. 22, 1946	Farm Water Supplies.	Section 17 .. Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Section 18 ..	Omit "forty dollars"; insert "one hundred dollars".
45	No. 20, 1948	Rivers and Foreshores Improvement.	Subsection (10) of section 4. Omit "forty dollars"; insert "one hundred dollars".
		Subsection (11) of section 4.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
50		Subsection (3) of section 25.	Omit "forty dollars"; insert "one hundred dollars"; Omit "ten dollars"; insert "twenty-five dollars".

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
No. 10, 1956	Hunter Valley Flood Mitigation.	Section 46 ..	Omit "two hundred dollars"; insert "five hundred dollars".
10		Section 47 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (2) of section 53.	Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "ten dollars"; insert "twenty-five dollars".

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969
[15c]

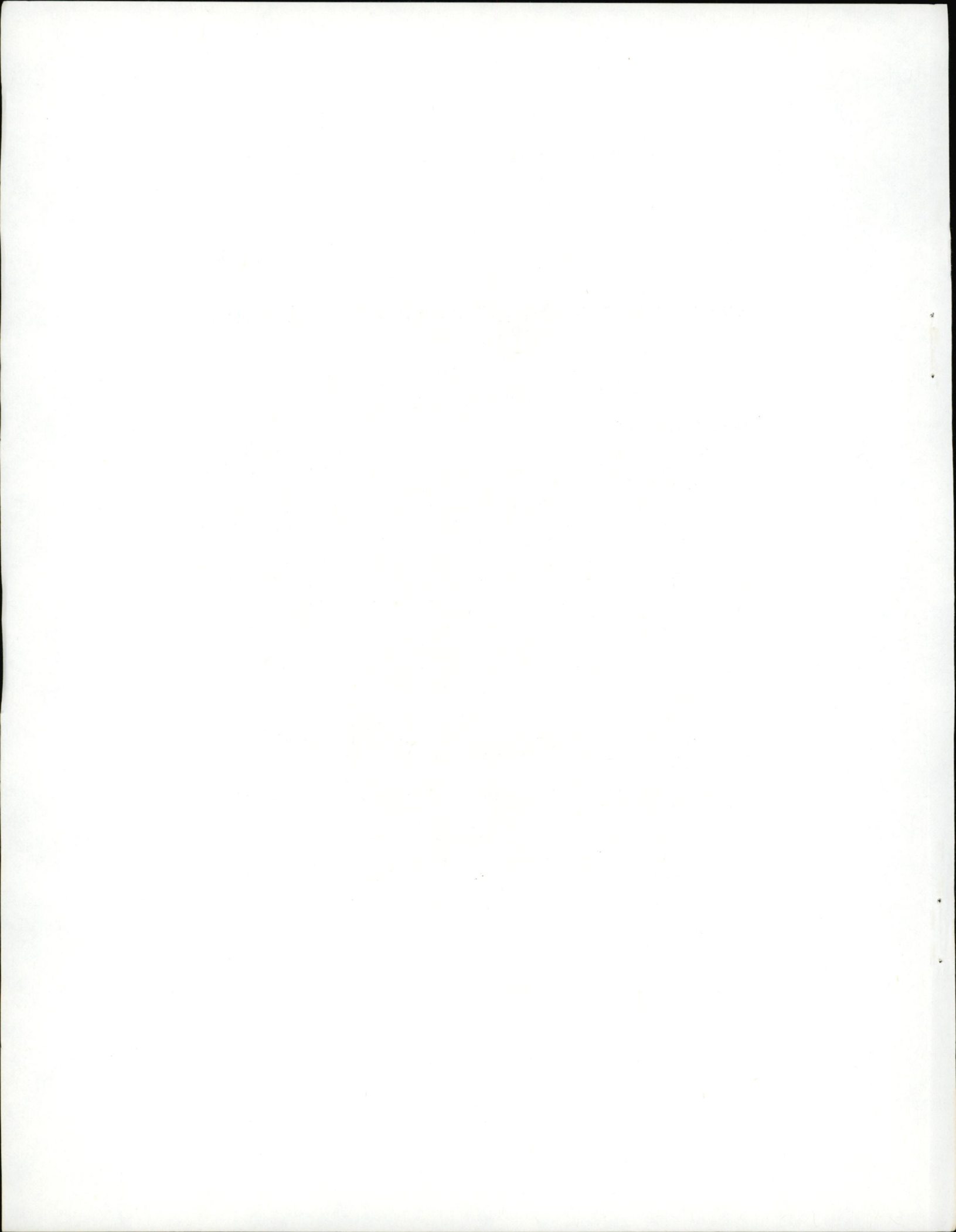
PROOF

**WATER, CROWN LANDS AND OTHER ACTS (AMENDMENT)
BILL, 1969**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to clarify certain doubts that have arisen as to whether or not certain works constitute a joint water supply scheme within the meaning of the Water Act, 1912;
- (b) to provide for the withholding of certain water supplies and for an increase in the rate of penalty interest chargeable, where certain rates, charges or contributions are unpaid;
- (c) to provide that the subdivider of a holding within an irrigation trust district shall be under the same obligation to construct works to serve the subdivided parts of the holding as a subdivider of a holding within a district in which the Water Conservation and Irrigation Commission exercises the like functions to the trust of an irrigation trust district;
- (d) to require the written consent of the Water Conservation and Irrigation Commission to the transfer, before compliance with the improvement condition, of a town land holding set apart for residential purposes in an irrigation area;
- (e) to fix the term of a residence condition attached to a holding and to provide for appeals following a decision by the Water Conservation and Irrigation Commission on an application for a suspension or remission of such a condition;
- (f) to provide for the issue of certificates of conformity with the conditions of a lease;
- (g) to increase the penalties that may be imposed under certain Acts;
- (h) to make certain provisions with respect to persons affected by works carried out under the Hunter Valley Flood Mitigation Act, 1956;
- (i) to make provisions consequential upon or ancillary to the foregoing.



PROOF

No. , 1969.

A BILL

To require owners to construct works necessitated by subdivisions in irrigation trust districts; to make further provisions with respect to certain unpaid rates, charges and contributions; to make provisions with respect to conditions of residence on certain holdings within irrigation areas; to provide that, in certain circumstances, residential town land holdings within those areas shall not be transferred without consent; to increase certain penalties for offences; to validate certain matters; for these and other purposes to amend the Water Act, 1912, the Crown Lands Consolidation Act, 1913, the Farm Water Supplies Act, 1946, the Rivers

Water, Crown Lands and Other Acts (Amendment).

Rivers and Foreshores Improvement Act, 1948, the Irrigation (Amendment) Act, 1941, the Hunter Valley Flood Mitigation Act, 1956, and certain other Acts; and for purposes connected therewith.

[MR BEALE—4 November, 1969.]

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 "Water, Crown Lands and Other Acts (Amendment) Act, 1969". Short title.

2. The Water Act, 1912, is amended—

10 (a) by inserting in section one next after the matter relating to Division 3 of PART III the following new matter :—

Amendment of Act No. 44, 1912. Sec. 1. (Short title and division.)

DIVISION 3A.—*Construction of works on disposal of part of lands—s. 41A.*

15 (b) by omitting from the definition of "Joint water supply scheme" in section five the words "extends which is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work." and by inserting
20 in lieu thereof the following words :—

Sec. 5. (Interpretation.)

extends, being a work that—

25 (a) is used or proposed to be used for the purpose of supplying water for irrigation by any occupier or occupiers other than the occupier or occupiers of the site of the work to which this Part extends; or

(b)

Water, Crown Lands and Other Acts (Amendment).

- (b) is used or proposed to be used, otherwise than pursuant to a license granted under this Part before the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, to supply water for the purpose of irrigating a holding that is not a riparian holding, or any part thereof, where that water is, or is to be, conveyed wholly or partly by a work that is used or proposed to be used by any occupier or occupiers (not being the occupier or occupiers of the site of the work to which this Part extends) for the conveyance of water for any purpose pursuant to a right conferred by this Part or pursuant to a license, authority or permit granted under this Part.
- (c) by inserting next after Division 3 of Part III the following new Division :—
- New
Division
3A.
- DIVISION 3A.—*Construction of works on disposal of part of lands.*
- 41A. (1) The provisions of subsection ten of section one hundred and forty-seven of this Act (paragraphs (b) and (h) excepted) shall, mutatis mutandis, apply to and in respect of a trust district constituted for the purposes of irrigation, or for purposes that include irrigation, in the same manner as they apply to and in respect of a district and a provisional district constituted under Part VI of this Act and, for the purposes of that application, the reference in subparagraph (iii) of paragraph (f) of that subsection to section one hundred and forty-eight of this Act shall be construed as a reference to sections sixty-three and seventy-three of this Act.

Water, Crown Lands and Other Acts (Amendment).

5 (2) Where a notification under subsection one of section thirty-seven of this Act has been published in the Gazette, whether before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, this section shall, in respect of a trust district to which the notification relates, have effect as if the notification had not been so published.

10 (3) All works constructed in pursuance of this section shall, upon their completion, be handed over to the trust by the owner or the Commission, as the case may be, without charge, and the trust shall take over, administer and manage the said works upon the terms and conditions prescribed in
15 relation to works of the trust.

20 (4) The rates for water in respect of part or parts of a holding disposed of and part or parts of a holding retained by an owner shall be payable notwithstanding that the means of supplying and conveying water from the works of the trust district in which the holding is situated, and of measuring that supply, have not been provided in respect of all those parts or any of them.

25 (d) by omitting from paragraph (e) of subsection three of section fifty-four the word "supply." and by inserting in lieu thereof the following words :— Sec. 54. (Power of trustees to enter and inspect.)

supply; or

30 (f) if any rates fixed and levied in respect of the land are, and have been for a period of not less than six months after the due date of payment, unpaid and the chairman of the trust consents to the supply of water to the land being cut off or withheld.

*Water, Crown Lands and Other Acts (Amendment).***3.** The Water Act, 1912, is further amended—Further
amendment
of Act No.
44, 1912.

- 5 (a) by inserting in subsection two of section 55B after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 10 (b) by inserting in paragraph (b) of subsection two of section one hundred and thirty-nine after the word “thirty-six” where secondly occurring the words “and before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 15 (c) by inserting in paragraph (b) of subsection two of section one hundred and fifty-nine after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”;
- 20 (d) by inserting in paragraph (b) of subsection one of section one hundred and seventy-five after the word “annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy, and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”.
- 25
- 30

Sec. 55B.

(Interest
on overdue
rates and
charges.)

Sec. 139.

(Assessment
of rates
and charges.)

Sec. 159.

(Rates.)

Sec. 175.

(Rates and
contribu-
tions.)

Water, Crown Lands and Other Acts (Amendment).

4. (1) The Crown Lands Consolidation Act, 1913, is amended— Amendment
of Act No.
7, 1913.

5 (a) by omitting subsection five of section one hundred and forty-two and by inserting in lieu thereof the following subsections :— Sec. 142.
(Conditions,
&c., of
irrigation
farm
purchases.)

10 (5) Subject to this section and section 145B of this Act, a condition of residence, to be performed by the holder for the time being, shall attach, and shall be deemed always to have attached, to an irrigation farm purchase—

(a) where the irrigation farm purchase is not a conversion of a lease, for a period of five years after the granting of the application for the irrigation farm purchase; or

15 (b) where the irrigation farm purchase is a conversion of a lease, for the residue of the period of the condition of residence attached, or deemed to have been attached, to the lease by section 142D of this Act,

20 being residence commencing, in the case referred to in paragraph (a) of this subsection, within three months after the granting of the application for the purchase.

25 (5A) The provisions of subsection five of this section shall not apply to an irrigation farm purchase in respect of which a certificate of conformity has been issued under section 142c of this Act or in respect of which the Commission has certified as to improvements under subsection five of this section as in force immediately before the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969.

(b)

Water, Crown Lands and Other Acts (Amendment).

(b) (i) by omitting subsection four of section 142D and by inserting in lieu thereof the following subsections :—

Sec. 142D.
(Conditions,
&c., of
leases within
irrigation
areas.)

5 (4) Subject to this section and section 145B of this Act, a condition of residence, to be performed by the holder for the time being, shall attach, and shall be deemed always to have attached, for a period of five years after the granting of the application for the lease,
10 to a lease other than a town land lease, being residence commencing within three months after the application for the holding is granted.

(4A) The provisions of subsection four of this section shall not apply to—

15 (a) a lease in respect of which a certificate has been issued under subsection four, five or six of this section as in force immediately before the commencement of the Water, Crown Lands and
20 Other Acts (Amendment) Act, 1969; or

(b) a non-irrigable lease where the Gazette notification making the land available for disposal provides that a residence
25 condition shall not attach thereto.

(ii) by omitting subsection five of the same section;

(iii) by omitting from subsection six of the same section the words "cease to have effect upon the issue by the Commission of a certificate in that behalf in the prescribed form" and by
30 inserting in lieu thereof the words ", subject to subsection four of this section, cease to have effect on the commencement of the Water,
35 Crown Lands and Other Acts (Amendment) Act, 1969";

(c)

Water, Crown Lands and Other Acts (Amendment).

- (c) by inserting next after section 142D the following short heading and new section :— New sec.
142E.

Issue of certificates of conformity as regards leases.

5 142E. The Commission may at any time and on payment of the prescribed fee, if it is satisfied that all conditions of a lease have been duly complied with, issue a certificate of conformity in the prescribed form in respect of the lease and may, upon satisfactory proof being given of the loss or destruction of any such certificate, and upon payment of the prescribed fee, issue a replacement certificate to the person entitled thereto. Lease
certificate
of con-
formity.

- 15 (d) (i) by omitting from paragraph (d) of subsection one of section 145A the word "with." and by inserting in lieu thereof the following words :— Sec. 145A.
(Restrictions
on transfer
of holdings.)

with;

20 (e) a town land lease notified in the Gazette before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969, as available for the purpose of residence or a town land purchase so notified or a town land purchase which is a conversion of such a lease shall not be transferred either wholly or in part unless the special conditions applicable thereto relating to improvements have been complied with to the satisfaction of the Commission.

- 35 (ii) by inserting in subsection four of the same section after the words "town land purchase" the words "(not being a town land lease or a town land purchase to which the provisions of paragraph (e) of subsection one of this section apply)";

(e)

Water, Crown Lands and Other Acts (Amendment).

(e) by omitting subsections one and two of section 145B and by inserting in lieu thereof the following subsections :—

Sec. 145B.
(Suspension,
&c., of
condition.)

5 (1) Subject to subsection (1A) of this section, the Commission in the case of any lease or purchase may—

10 (a) for such periods as it may determine, suspend or remit wholly or partly the condition of residence attached to a holding, or permit the condition to be carried out anywhere within a reasonable working distance of the holding, or permit the condition to be carried out upon any one of two or more holdings to which a residence condition is attached, being holdings held by one person or members of one family; or

15 (b) grant exemption either wholly or partly from compliance with, or grant an extension of the time for performance of, any special or other condition not being a condition relating to the payment of money; or

20 (c) alter, modify or cancel any special or other condition not being a condition relating to the payment of money,

25 subject to such terms, stipulations and conditions as it may deem fit.

30 (1A) Where the whole or any part of the land held under lease is within an area of erosion hazard notified under the Soil Conservation Act, 1938, or within a catchment area notified or constituted under that Act, the alteration, modification or cancellation of any condition of the lease shall not be made except upon the recommendation of and subject to any further conditions recommended by the Catchment Areas Protection Board.

35 (1B) The non-performance or breach of any term, stipulation or condition imposed under subsection one of this section, or by the Special Land

Board

Water, Crown Lands and Other Acts (Amendment).

5 Board or the Land and Valuation Court upon a reference, or an appeal, under this section, or of any term or stipulation lawfully imposed by the Commission or the Minister under this Act shall render a holding in respect of which it is imposed liable to be forfeited.

10 (2) Where the decision of the Commission upon an application made pursuant to paragraph (a) of subsection one of this section is that the application be refused or where the applicant is dissatisfied with any terms, stipulations and conditions imposed by the Commission in granting an application made pursuant to that paragraph, the applicant may, by notice in writing lodged with the Commission within twenty-eight days after notice of that decision has been given to him by the Commission, require that the application be referred to the Special Land Board for inquiry and determination whereupon the application shall be referred by the Commission accordingly.

15 (2A) The provisions of subsections three, four and five of section 147A of this Act shall apply, mutatis mutandis, where a determination is made by the Special Land Board upon a reference under subsection two of this section.

25

(2) The amendment made by paragraph (c) of subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

30 5. The Farm Water Supplies Act, 1946, is amended—

(a) by omitting from section eight the words “certifying that the works have been carried out or are being carried out in a satisfactory manner and in accordance with the approval of the Commission.”

Amendment
of Act No.
22, 1946.

Sec. 8.
(Payment of
advance
where works
not carried
out by
Com-
mission.)

For

Water, Crown Lands and Other Acts (Amendment).

5 For the purposes of this section, the Commission may by its officers and servants enter the lands of the owner and inspect the works” and by inserting in lieu thereof the words “notifying the Bank that the works have been completed, or are partly completed, as the case may be”;

(b) by inserting at the end of the same section the following new subsection :—

10 (2) The Commission may, by its officers and servants, enter any land for the purpose of inspecting works referred to in subsection one of this section.

6. The Rivers and Foreshores Improvement Act, 1948, is amended by inserting in paragraph (b) of subsection one of section nineteen after the words “five per centum per annum” the words “in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy”. Amendment of Act No. 20, 1948. Sec. 19. (Rates and contributions.)

7. The Irrigation (Amendment) Act, 1941, is amended by omitting subsection one of section thirteen and by inserting in lieu thereof the following subsections :— Amendment of Act No. 54, 1941.

25 (1) Overdue rates payable under this Part shall be increased in accordance with this section. Sec. 13. (Overdue rates, extra charge.)

30 (1A) If the rates are unpaid at the expiration of three months after the due date of payment, the amount due shall be increased by a sum calculated at the rate of five per centum per annum in respect of any period before the first day of July, one thousand nine hundred and seventy and at the rate of seven per centum per annum in respect of any period after the thirtieth day of June, one thousand nine hundred and seventy, and the increase shall be deemed to be part of the rates.

(1B)

Water, Crown Lands and Other Acts (Amendment).

5 (1B) The calculation under subsection (1A) of this section shall be made only in respect of as many complete months as have expired between the date on which the payment became due and the date of payment, excluding any remaining portion of a month.

8. (1) The Hunter Valley Flood Mitigation Act, 1956, is amended— Amendment of Act No. 10, 1956.

10 (a) by omitting from subsection one of section thirty-one the words "on any land" and by inserting in lieu thereof the words "before or after the commencement of the Water, Crown Lands and Other Acts (Amendment) Act, 1969"; Sec. 31. (Works of river diversion causing deprivation of riparian rights.)

15 (b) by inserting in the same subsection after the words "pumping plant" the words "installed on any land was or";

(c) by inserting in subsection two of the same section after the words "diversion of the River" the words "or the carrying out of other work referred to in subsection one of this section";

20 (d) by inserting in paragraph (a) of the same subsection after the words "on the new course of" the words "or elsewhere on";

25 (e) by omitting from subsection four of the same section the words "deprivation of" and by inserting in lieu thereof the words "deprivation, total or partial, of or adverse effect on".

30 (2) Any act, matter or thing done or commenced before the commencement of this Act that could only have been validly done or commenced had the Hunter Valley Flood Mitigation Act, 1956, as amended by subsection one of this section, been in force at the time the act, matter or thing was done or commenced shall be deemed to have been done or commenced pursuant to that Act, as so amended.

Water, Crown Lands and Other Acts (Amendment).

9. (1) The Hunter Valley Flood Mitigation Act, 1956, is in this section referred to as the Principal Act. Payment of compensation in certain cases.

(2) This section shall be read and construed with section thirty-one of the Principal Act.

5 (3) In such cases and, in any particular case, to such extent, as the Minister with the concurrence of the Treasurer directs, the Constructing Authority may pay compensation to a riparian owner who, before the commencement of this Act, provided alternative works rendered necessary by the carrying
10 out by the Constructing Authority before that commencement of "other work" as defined in subsection (1A) of section thirty-one of the Principal Act, being alternative works having the like objects to those the Constructing Authority would
15 out had the Principal Act, as amended by this Act, been in force when that other work was carried out.

(4) For the purposes of section thirty-one of the Principal Act, as amended by this Act, alternative works in respect of which compensation is paid under this section shall
20 be deemed to have been provided by the Constructing Authority in conformity with subsection two of that section, and for the purposes of section thirty-seven of that Act, as so amended, compensation paid under this section shall be deemed to have
25 been compensation payable by the Constructing Authority in accordance with the provisions of that Act, as so amended.

(5) Nothing in this section shall be construed as conferring on any person a right to compensation.

(6) Any payment made by the Constructing Authority before the commencement of this Act that would only have
30 been valid had this section and the Principal Act, as amended by this Act, been in force at the time the payment was made shall be deemed to have been a payment made pursuant to subsection three of this section.

10. An Act specified in the First Column of the Schedule to this Act is amended to the extent and in the manner specified opposite that Act in the Second Column of that Schedule. Amendment of certain Acts.

THE

Water, Crown Lands and Other Acts (Amendment).

THE SCHEDULE.

Sec. 10.

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	54 Vic. No. 7	Section 47 ..	Omit "forty dollars"; insert "one hundred dollars".
	Wentworth Irrigation.	Section 48 ..	Omit "two hundred dollars"; insert "five hundred dollars".
10		Section 49 ..	Omit "twenty dollars"; insert "fifty dollars".
	No. 57, 1902	Section 42 ..	Omit "forty dollars"; insert "one hundred dollars".
	Hay Irrigation	Section 43 ..	Omit "forty dollars"; insert "one hundred dollars".
15		Section 44 ..	Omit "two hundred dollars"; insert "five hundred dollars".
		Section 45 ..	Omit "twenty dollars"; insert "fifty dollars".
20	No. 44, 1912	Section 4c ..	Omit "forty dollars"; insert "one hundred dollars".
	Water		Omit "two hundred dollars"; insert "five hundred dollars".
25			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 17B.	Omit "forty dollars"; insert "one hundred dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
30			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
		Subsection (2) of section 18.	Omit "two hundred dollars"; insert "five hundred dollars".
35		Subsection (4) of section 18E.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
		Section 20D ..	Omit "two hundred dollars"; insert "five hundred dollars".
40		Subsection (1) of section 20H.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "ten dollars"; insert "twenty-five dollars".
45		Subsection (1) of section 21A.	Omit "one thousand dollars"; insert "two thousand five hundred dollars".
50			Omit "forty dollars"; insert "one hundred dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5	No. 44, 1912 — <i>cont.</i>	Subsection (2) of section 22.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
10		Section 23 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (4) of section 26D.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
20		Paragraph (f) of subsection (1) of section 27.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
25		Subsection (2) of section 65.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 65.	Omit "forty dollars"; insert "one hundred dollars".
30		Section 71 ..	Omit "one hundred dollars"; insert "one hundred dollars".
		Paragraph (m) of subsection (1) of section 74.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 75.	Omit "forty dollars"; insert "one hundred dollars".
35		Section 100 ..	Omit "twenty dollars"; insert "fifty dollars".
		Subsection (2) of section 112.	Omit "two hundred dollars"; insert "five hundred dollars".
40		Subsection (4) of section 115A.	Omit "forty dollars"; insert "one hundred dollars".
45		Section 118 ..	Omit "two hundred dollars"; insert "five hundred dollars".
			Omit "ten dollars"; insert "twenty-five dollars".
50			Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "ten dollars"; insert "twenty-five dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.		
5	Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
	No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	Subsection (2) of section 118A.	Omit "forty dollars"; insert "one hundred dollars".
10			Subsection (5) of section 118A.	Omit "four dollars"; insert "ten dollars". Omit "forty dollars"; insert "one hundred dollars".
15			Subsection (1) of section 120.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Section 121 ..	Omit "two hundred dollars"; insert "five hundred dollars".
20			Section 122 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Subsection (2) of section 123.	Omit "forty dollars"; insert "one hundred dollars".
25			Subsection (2) of section 124.	Omit "forty dollars"; insert "one hundred dollars".
			Subsection (3) of section 124.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30			Subsection (1) of section 129.	Omit "forty dollars"; insert "one hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".
			Subsection (2) of section 148.	Omit "forty dollars"; insert "one hundred dollars".
35			Subsection (3) of section 148.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Subsection (1) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
40			Subsection (2) of section 148A.	Omit "ten dollars"; insert "twenty-five dollars".
			Subsection (3) of section 148A.	Omit "forty dollars"; insert "one hundred dollars".
45			Subsection (2) of section 149.	Omit "forty dollars"; insert "one hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".
			Subsection (2) of section 163.	Omit "forty dollars"; insert "one hundred dollars".
50			Subsection (3) of section 163.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".

THE

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
No. 44, 1912 — <i>cont.</i>	Water— <i>cont.</i>	Section 164 ..	Omit "forty dollars"; insert "one hundred dollars".
10		Subsection (2) of section 177.	Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (3) of section 177.	Omit "forty dollars"; insert "one hundred dollars".
15		Subsection (3) of section 183.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "forty dollars"; insert "one hundred dollars".
			Omit "ten dollars"; insert twenty-five dollars".
No. 73, 1912	Irrigation. . .	Subsection (3) of section 9A.	Omit "two hundred dollars"; insert "five hundred dollars".
20		Subsection (1) of section 17A.	Omit "forty dollars"; insert "one hundred dollars".
		Subsection (2) of section 17A.	Omit "ten dollars"; insert "twenty-five dollars".
25		Subsection (3) of section 17A.	Omit "forty dollars"; insert "one hundred dollars".
		Section 17AA. . .	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
30		Section 27 ..	Omit "forty dollars"; insert "one hundred dollars".
			Omit "two hundred dollars"; insert "five hundred dollars".
35			Omit "ten dollars"; insert "twenty-five dollars".
		Subsection (1) of section 28.	Omit "twenty dollars"; insert "fifty dollars".
No. 20, 1946	Rivers and Foreshores Improvement.	Subsection (10) of section 4.	Omit "forty dollars"; insert "one hundred dollars".
40		Subsection (11) of section 4.	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
		Subsection (3) of section 25.	Omit "forty dollars"; insert "one hundred dollars".
45			Omit "ten dollars"; insert "twenty-five dollars".
No. 22, 1946	Farm Water Supplies.	Section 17 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
50		Section 18 ..	Omit "forty dollars"; insert "one hundred dollars".

*Water, Crown Lands and Other Acts (Amendment).*THE SCHEDULE—*continued.*

First Column.		Second Column.	
Reference to Act.	Subject.	Section, etc., to be amended.	Amendment.
5			
No. 10, 1956	Hunter Valley Flood Mitigation.	Section 46 ..	Omit "two hundred dollars"; insert "five hundred dollars".
10		Section 47 ..	Omit "one hundred dollars"; insert "two hundred and fifty dollars".
15		Subsection (2) of section 53.	Omit "two hundred dollars"; insert "five hundred dollars"; Omit "one hundred dollars"; insert "two hundred and fifty dollars".
			Omit "two hundred dollars"; insert "five hundred dollars". Omit "ten dollars"; insert "twenty-five dollars".

BY AUTHORITY:

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