

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, 20 September, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1973.

An Act to sanction and provide for the construction of a dam on Boree Creek about one mile upstream of Cudal and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith.

BE

Cudal Dam.

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

1. This Act may be cited as the "Cudal Dam Act, 1973". Short title.

2. (1) In this Act—

Inter-
pretation.

10 "Commission" means the Water Conservation and
Irrigation Commission constituted under the
Irrigation Act, 1912 ;

"scheduled works" means the works described in the
Schedule, subject to such modifications and devia-
tions as may be deemed necessary or desirable by
the Commission.

15 (2) The sites of the various works comprising the
scheduled works are shown on the plan marked "Boree
Creek, Proposed Cudal Dam", sealed with the seal of the
Commission, deposited in the head office of the Commission
and catalogued No. 26/285.

20 3. (1) The carrying out of the scheduled works is hereby
sanctioned. Scheduled
works
sanctioned.

(2) The Commission is empowered to carry out the
scheduled works and for the purpose of so doing may do all
such things, including entering into contracts, as it may
25 consider necessary.

4. The cost of carrying out the scheduled works, estimated
at \$1,700,000 shall not be exceeded by more than 10 per
centum. Estimated
cost not to
be exceeded
by more
than 10 per
centum.

5.

Cudal Dam.

5. (1) The scheduled works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application
of Public
Works Act,
1912.

(2) For the purpose of the scheduled works the Commission shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections 34, 35, 36 and 37, shall apply to and in respect of the scheduled works.

(4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

6. For the purposes of this Act, the Public Works Act, 1912, is amended by inserting at the end of section 126 (2) the following proviso :—

Amendment
of Act No.
45, 1912.
Sec. 126.

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

(Compensation to be paid within one month.)

SCHEDULE.

Sec. 2.

Description of Works.

1. Works for or associated with the improvement of the supply of water in Boree and Mandagery Creeks, comprising the construction of—

(a) a dam across Boree Creek about one mile upstream of the town of Cudal, partly within portions 27 and 31, Parish of Boree Cabonne, County of Ashburnham, and partly within portions 7, 10, 11 and 12, Parish of Cudal, County of Ashburnham, of a height sufficient to store about 10,400 acre feet of water;

(b)

Cudal Dam.

- (b) spillways and outlet works for regulating the discharge of water from the storage; and
 - (c) works incidental to the works specified in paragraphs (a) and (b).
- 5 2. The construction of roads of access to the works referred to in item 1 and the borrow areas and quarries referred to in item 6.
3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of any works referred to in items 1
- 10 and 2.
4. The construction or reconstruction of structures incidental to the works referred to in items 2 and 3.
5. Works necessary for the protection of the foreshores of the storage.
6. The establishment of borrow areas for soil, sand and gravel and
- 15 quarries for rock and aggregates required for carrying out the works referred to in items 1 to 5 inclusive and item 7.
7. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]

No. , 1973.

A BILL

To sanction and provide for the construction of a dam on Boree Creek about one mile upstream of Cudal and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith.

[MR FREUDENSTEIN—12 September, 1973.]

BE

Cudal Dam.

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 "Cudal Dam Act, 1973". Short title.

2. (1) In this Act—

Inter-
pretation.

"Commission" means the Water Conservation and Irrigation Commission constituted under the Irrigation Act, 1912;

"scheduled works" means the works described in the Schedule, subject to such modifications and deviations as may be deemed necessary or desirable by the Commission.

(2) The sites of the various works comprising the scheduled works are shown on the plan marked "Boree Creek, Proposed Cudal Dam", sealed with the seal of the Commission, deposited in the head office of the Commission and catalogued No. 26/285.

3. (1) The carrying out of the scheduled works is hereby sanctioned.

Scheduled
works
sanctioned.

(2) The Commission is empowered to carry out the scheduled works and for the purpose of so doing may do all such things, including entering into contracts, as it may consider necessary.

4. The cost of carrying out the scheduled works, estimated at \$1,700,000 shall not be exceeded by more than 10 per centum.

Estimated
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Cudal Dam.

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Application of Public Works Act, 1912.

(2) For the purpose of the scheduled works the Commission shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections 34, 35, 36 and 37, shall apply to and in respect of the scheduled works.

(4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

6. For the purposes of this Act, the Public Works Act, 1912, is amended by inserting at the end of section 126 (2) the following proviso :—

Amendment of Act No. 45, 1912.

Sec. 126.

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

(Compensation to be paid within one month.)

SCHEDULE.

Sec. 2.

Description of Works.

1. Works for or associated with the improvement of the supply of water in Boree and Mandagery Creeks, comprising the construction of—

(a) a dam across Boree Creek about one mile upstream of the town of Cudal, partly within portions 27 and 31, Parish of Boree Cabonne, County of Ashburnham, and partly within portions 7, 10, 11 and 12, Parish of Cudal, County of Ashburnham, of a height sufficient to store about 10,400 acre feet of water;

(b)

Cudal Dam.

- (b) spillways and outlet works for regulating the discharge of water from the storage; and
 - (c) works incidental to the works specified in paragraphs (a) and (b).
- 5 2. The construction of roads of access to the works referred to in item 1 and the borrow areas and quarries referred to in item 6.
3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of any works referred to in items 1 and 2.
- 10 4. The construction or reconstruction of structures incidental to the works referred to in items 2 and 3.
5. Works necessary for the protection of the foreshores of the storage.
6. The establishment of borrow areas for soil, sand and gravel and
- 15 quarries for rock and aggregates required for carrying out the works referred to in items 1 to 5 inclusive and item 7.
7. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

[5c]

PROOF

CUDAL DAM BILL, 1973

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to sanction the construction of a dam on Boree Creek near Cudal at an estimated cost of \$1.7 million;
- (b) to empower the Water Conservation and Irrigation Commission to do all things necessary to carry out the works including entering into contracts;
- (c) to make provisions consequential upon or ancillary to the foregoing.

PROOF

CODING DAM BNL 1973

FOR A FURTHER 2000

The following information is for your information only. It is not to be used for any other purpose. The information is for your information only. It is not to be used for any other purpose. The information is for your information only. It is not to be used for any other purpose.

PROOF

No. , 1973.

A BILL

To sanction and provide for the construction of a dam on Boree Creek about one mile upstream of Cudal and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith.

[MR FREUDENSTEIN—12 September, 1973.]

BE

Cudal Dam.

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

1. This Act may be cited as the "Cudal Dam Act, 1973". Short title.

2. (1) In this Act—

Inter-
pretation.

10 "Commission" means the Water Conservation and
Irrigation Commission constituted under the
Irrigation Act, 1912 ;

"scheduled works" means the works described in the
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the Commission.

15 (2) The sites of the various works comprising the
scheduled works are shown on the plan marked "Boree
Creek, Proposed Cudal Dam", sealed with the seal of the
Commission, deposited in the head office of the Commission
and catalogued No. 26/285.

20 3. (1) The carrying out of the scheduled works is hereby
sanctioned. Scheduled
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(2) The Commission is empowered to carry out the
scheduled works and for the purpose of so doing may do all
such things, including entering into contracts, as it may
25 consider necessary.

4. The cost of carrying out the scheduled works, estimated
at \$1,700,000 shall not be exceeded by more than 10 per
centum. Estimated
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Cudal Dam.

5. (1) The scheduled works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application
of Public
Works Act,
1912.

(2) For the purpose of the scheduled works the Commission shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections 34, 35, 36 and 37, shall apply to and in respect of the scheduled works.

(4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

6. For the purposes of this Act, the Public Works Act, 1912, is amended by inserting at the end of section 126 (2) the following proviso :—

Amendment
of Act No.
45, 1912.
Sec. 126.

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

(Compensation to be paid within one month.)

SCHEDULE.

Sec. 2.

Description of Works.

1. Works for or associated with the improvement of the supply of water in Boree and Mandagery Creeks, comprising the construction of—

(a) a dam across Boree Creek about one mile upstream of the town of Cudal, partly within portions 27 and 31, Parish of Boree Cabonne, County of Ashburnham, and partly within portions 7, 10, 11 and 12, Parish of Cudal, County of Ashburnham, of a height sufficient to store about 10,400 acre feet of water;

(b)

Cudal Dam.

- (b) spillways and outlet works for regulating the discharge of water from the storage; and
 - (c) works incidental to the works specified in paragraphs (a) and (b).
- 5 2. The construction of roads of access to the works referred to in item 1 and the borrow areas and quarries referred to in item 6.
3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of any works referred to in items 1
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4. The construction or reconstruction of structures incidental to the works referred to in items 2 and 3.
5. Works necessary for the protection of the foreshores of the storage.
6. The establishment of borrow areas for soil, sand and gravel and
- 15 quarries for rock and aggregates required for carrying out the works referred to in items 1 to 5 inclusive and item 7.
7. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 60, 1973.

An Act to sanction and provide for the construction of a dam on Boree Creek about one mile upstream of Cudal and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith. [Assented to, 15th October, 1973.]

BE

Cudal Dam.

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 "Cudal Dam Act, 1973".

Inter-
pretation.

2. (1) In this Act—

"Commission" means the Water Conservation and Irrigation Commission constituted under the Irrigation Act, 1912 ;

"scheduled works" means the works described in the Schedule, subject to such modifications and deviations as may be deemed necessary or desirable by the Commission.

(2) The sites of the various works comprising the scheduled works are shown on the plan marked "Boree Creek, Proposed Cudal Dam", sealed with the seal of the Commission, deposited in the head office of the Commission and catalogued No. 26/285.

Scheduled
works
sanctioned.

3. (1) The carrying out of the scheduled works is hereby sanctioned.

(2) The Commission is empowered to carry out the scheduled works and for the purpose of so doing may do all such things, including entering into contracts, as it may consider necessary.

Estimated
cost not to
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4. The cost of carrying out the scheduled works, estimated at \$1,700,000 shall not be exceeded by more than 10 per centum.

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Application
of Public
Works Act,
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(2) For the purpose of the scheduled works the Commission shall be the Constructing Authority within the meaning of the Act.

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(4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

6. For the purposes of this Act, the Public Works Act, 1912, is amended by inserting at the end of section 126 (2) the following proviso :—

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- (b) spillways and outlet works for regulating the discharge of water from the storage; and
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 5. Works necessary for the protection of the foreshores of the storage.
 6. The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates required for carrying out the works referred to in items 1 to 5 inclusive and item 7.
 7. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive.

BY AUTHORITY

V. C. N. BLIGHT, C.B.E., GOVERNMENT PRINTER, NEW SOUTH WALES—1973

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, 9 October, 1973.*

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 60, 1973.

An Act to sanction and provide for the construction of a dam on Boree Creek about one mile upstream of Cudal and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith. [Assented to, 15th October, 1973.]

BE

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

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Cudal Dam.

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Scheduled works sanctioned.

3. (1) The carrying out of the scheduled works is hereby sanctioned.

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Estimated cost not to be exceeded by more than 10 per centum.

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(b)

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- (b) spillways and outlet works for regulating the discharge of water from the storage; and
 - (c) works incidental to the works specified in paragraphs (a) and (b).
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 3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of any works referred to in items 1 and 2.
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 5. Works necessary for the protection of the foreshores of the storage.
 6. The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates required for carrying out the works referred to in items 1 to 5 inclusive and item 7.
 7. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 15th October, 1973.*