

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 August, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1971.

An Act to sanction and provide for the carrying out of certain works at and in connection with the Inner and Outer Harbours at Port Kembla, including dredging and excavating work; to authorise the Minister to negotiate and enter into contracts with the Broken Hill Proprietary Company Limited and other persons; to amend the Public Works Act, 1912; and for purposes connected therewith.

BE

Port Kembla (Further Development).

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

1. This Act may be cited as the "Port Kembla (Further Development) Act, 1971". Short title.

2. In this Act, except in so far as the context or subject-matter otherwise indicates or requires— Interpretation.

10 "contractual work" means work carried out or to be carried out in pursuance of a contract made under subsection one of section six of this Act;

"scheduled works" means the works described in the Schedule to this Act;

15 "wharf" means any structure, landing place or facility, erected, constructed or provided, before or after the commencement of this Act, in the Inner or Outer Harbour of Port Kembla or on land adjoining or adjacent thereto, where cargo may be loaded
20 or discharged or where vessels may be berthed.

3. The plan of the scheduled works is the plan marked "Port Kembla Further Development 1971" signed by the Minister, countersigned by the Director of Public Works and deposited in the Public Office of the Minister. The plan.

25 4. (1) The carrying out of the scheduled works is hereby sanctioned. Scheduled works sanctioned.

(2) The Minister 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 he may
30 consider necessary.

Port Kembla (Further Development).

5. The cost of carrying out the scheduled works which, exclusive of land exchanges and land acquisition, is estimated at thirty million dollars, shall not be exceeded by more than ten per centum.

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

5 6. (1) The Minister may negotiate and enter into such contracts with the Broken Hill Proprietary Company Limited, and with other persons, as he may consider necessary for and in connection with the improvement and further development of Port Kembla and contiguous areas, including

Minister empowered to negotiate and enter into contracts.

10 contracts for—

- (a) exchanges, leasing and sale of lands;
- (b) the opening and closing of roads;
- (c) the acquisition of land; and
- (d) the repayment to the said Company of any amounts advanced by it for and in connection with the said improvement and further development.

15

(2) A contract under subsection one of this section shall be subject to the concurrence of the Treasurer and the approval of the Governor.

20 7. (1) The scheduled works and any contractual work shall be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application of the Public Works Act, 1912.

(2) For the purpose of the scheduled works and any contractual work the Minister shall be the Constructing Authority within the meaning of the Act.

25

(3) The provisions of the Act, other than sections thirty-four, thirty-five, thirty-six and thirty-seven thereof, shall apply to and in respect of the scheduled works and any contractual work.

(4)

Port Kembla (Further Development).

(4) Without prejudice to the generality of the other provisions of this section the provisions of section thirty-eight of the Act shall apply to and in respect of a contract made or to be made under subsection two of section four or under subsection one of section six of this Act.

8. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the Plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

Provision re public roads.

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

9. The provisions of the Harbour and Tonnage Rates Act, 1920, and the regulations made thereunder, in so far as they relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges, shall apply to and in respect of every wharf as if it were a public wharf, and harbour and tonnage rates and berthing charges shall be payable accordingly in respect of all vessels berthed at a wharf :

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

35 Provided that in respect of a vessel while berthed at a wharf erected under a contract, entered into in pursuance of section six of this Act, by which the whole or part of the cost of construction of such wharf has been provided by the

owner

Port Kembla (Further Development).

owner of such vessel, the harbour and tonnage rates and berthing charges to be paid in respect of that vessel and its cargoes shall be the rates and charges provided for in such contract, or if no provision is made therefor in the contract, such proportion of the rates and charges which but for this proviso would be payable as shall be approved by the Governor.

10. Section three hundred and twenty-seven of the Local Government Act, 1919, shall not apply in respect of any subdivision of land made for the purposes of this Act.

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

SCHEDULE.

Sec. 2.

DESCRIPTION OF WORKS.

A deepening of the approaches to Port Kembla Outer Harbour and the extension of the breakwaters, together with the provision of such channels and turning areas in the Outer Harbour as are necessary to permit the passage of vessels having draughts of up to fifty feet.

The deepening, to permit the passage of vessels having draughts of up to fifty feet, and widening of the channel from the Outer Harbour to the Inner Harbour, together with any necessary structural works and the alteration or relocation or removal and replacement of any existing structures affected by the works.

The deepening of the Inner Harbour generally and the provision of a deep channel to enable vessels having draughts of up to fifty feet to navigate into and berth at the wharves built or to be built by Australian Iron and Steel Pty. Ltd. on land adjoining the Inner Harbour.

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

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971

[5c]

No. , 1971.

A BILL

To sanction and provide for the carrying out of certain works at and in connection with the Inner and Outer Harbours at Port Kembla, including dredging and excavating work; to authorise the Minister to negotiate and enter into contracts with the Broken Hill Proprietary Company Limited and other persons; to amend the Public Works Act, 1912; and for purposes connected therewith.

[MR HUGHES—19 *August*, 1971.]

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15 "wharf" means any structure, landing place or facility, erected, constructed or provided, before or after the commencement of this Act, in the Inner or Outer Harbour of Port Kembla or on land adjoining or adjacent thereto, where cargo may be loaded
20 or discharged or where vessels may be berthed.

3. The plan of the scheduled works is the plan marked "Port Kembla Further Development 1971" signed by the Minister, countersigned by the Director of Public Works and deposited in the Public Office of the Minister. The plan.

25 4. (1) The carrying out of the scheduled works is hereby sanctioned. Scheduled works sanctioned.

(2) The Minister 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 he may
30 consider necessary.

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Port Kembla (Further Development).

5. The cost of carrying out the scheduled works which, exclusive of land exchanges and land acquisition, is estimated at thirty million dollars, shall not be exceeded by more than ten per centum.

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

5 6. (1) The Minister may negotiate and enter into such contracts with the Broken Hill Proprietary Company Limited, and with other persons, as he may consider necessary for and in connection with the improvement and further development of Port Kembla and contiguous areas, including

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- (a) exchanges, leasing and sale of lands;
- (b) the opening and closing of roads;
- (c) the acquisition of land; and
- 15 (d) the repayment to the said Company of any amounts advanced by it for and in connection with the said improvement and further development.

(2) A contract under subsection one of this section shall be subject to the concurrence of the Treasurer and the approval of the Governor.

20 7. (1) The scheduled works and any contractual work shall be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application of the Public Works Act, 1912.

(2) For the purpose of the scheduled works and any contractual work the Minister shall be the Constructing

25 Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections thirty-four, thirty-five, thirty-six and thirty-seven thereof, shall apply to and in respect of the scheduled works and any contractual work.

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Port Kembla (Further Development).

(4) Without prejudice to the generality of the other provisions of this section the provisions of section thirty-eight of the Act shall apply to and in respect of a contract made or to be made under subsection two of section four or under
5 subsection one of section six of this Act.

8. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the Plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads,
10 is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedi-
15 cation of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing
20 Authority for the purposes of this Act.

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

9. The provisions of the Harbour and Tonnage Rates Act, 1920, and the regulations made thereunder, in so far as they relate to the imposition, collection and payment of
30 harbour and tonnage rates and berthing charges, shall apply to and in respect of every wharf as if it were a public wharf, and harbour and tonnage rates and berthing charges shall be payable accordingly in respect of all vessels berthed at a wharf :

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35 Provided that in respect of a vessel while berthed at a wharf erected under a contract, entered into in pursuance of section six of this Act, by which the whole or part of the cost of construction of such wharf has been provided by the
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Port Kembla (Further Development).

owner of such vessel, the harbour and tonnage rates and berthing charges to be paid in respect of that vessel and its cargoes shall be the rates and charges provided for in such contract, or if no provision is made therefor in the contract, such proportion of the rates and charges which but for this proviso would be payable as shall be approved by the Governor.

10. Section three hundred and twenty-seven of the Local Government Act, 1919, shall not apply in respect of any subdivision of land made for the purposes of this Act.

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SCHEDULE.

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

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971

[5c]

Port of New York (Harbor Development)

Under the provisions of the Harbor and Harbor Development Act, the Board of Harbor and Harbor Development is authorized to... (text is mirrored and difficult to read)

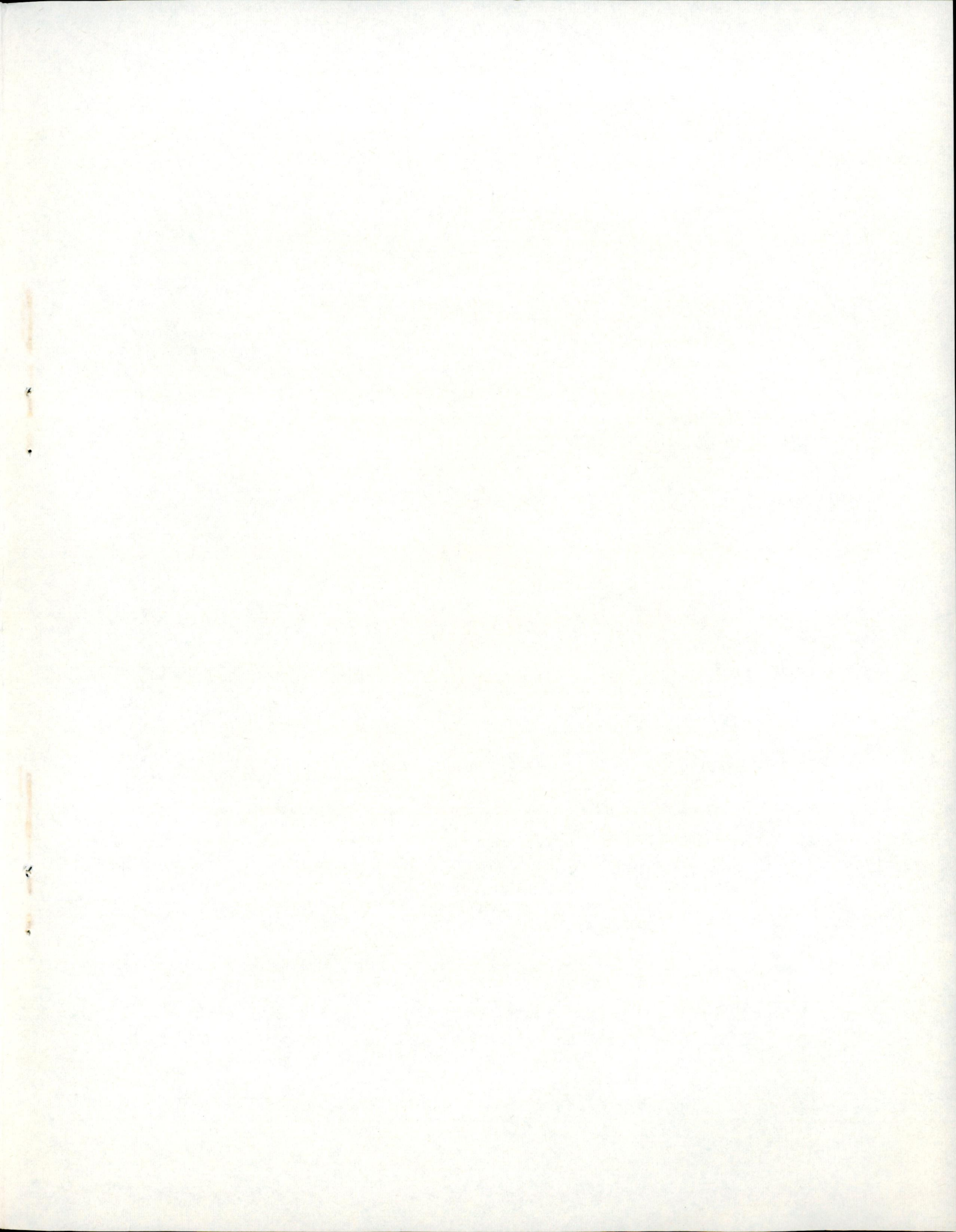
Section 1971
Act No. 1971
Harbor and Harbor Development

1971. Section 1971 of the Harbor and Harbor Development Act, as amended, is amended to read as follows: (text is mirrored)

SCHEDULE

Sec. 1

- 1. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 2. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 3. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 4. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 5. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 6. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 7. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 8. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 9. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)
- 10. The Board of Harbor and Harbor Development is authorized to... (text is mirrored)



PROOF

PORT KEMBLA (FURTHER DEVELOPMENT) BILL, 1971.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to sanction the carrying out of certain works at and in connection with the Inner and Outer Harbours at Port Kembla;
- (b) to empower the Minister to do all things necessary to carry out the said works including negotiating and entering into contracts; and
- (c) to make provisions consequential upon or ancillary to the foregoing.

PROOF

REPORT NUMBER (FURTHER DEVELOPMENT) 1911

EXPLANATORY NOTES

The purpose of this report is to provide a detailed account of the work done during the period from 1910 to 1911. The work has been carried out in accordance with the programme of work approved by the Committee in 1910.

The first part of the report deals with the work done during the first half of the year. This work has been devoted to the study of the properties of the new material. It has been found that the material has a number of interesting properties, which are described in detail in the following pages.

The second part of the report deals with the work done during the second half of the year. This work has been devoted to the study of the effect of temperature on the properties of the material. It has been found that the properties of the material are affected in a very interesting way by changes in temperature. These results are also described in detail in the following pages.

PROOF

No. , 1971.

A BILL

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[MR HUGHES—19 August, 1971.]

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PROOF

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"scheduled works" means the works described in the Schedule to this Act;

15 "wharf" means any structure, landing place or facility, erected, constructed or provided, before or after the commencement to this Act, in the Inner or Outer Harbour of Port Kembla or on land adjoining or adjacent thereto, where cargo may be loaded
20 or discharged or where vessels may be berthed.

3. The plan of the scheduled works is the plan marked "Port Kembla Further Development 1971" signed by the Minister, countersigned by the Director of Public Works and deposited in the Public Office of the Minister. The plan.

25 4. (1) The carrying out of the scheduled works is hereby sanctioned. Scheduled works sanctioned.

(2) The Minister 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 he may
30 consider necessary.

5.

Port Kembla (Further Development).

5 **5.** The cost of carrying out the scheduled works which, Estimated cost not to be exceeded by more than ten per centum. exclusive of land exchanges and land acquisition, is estimated at thirty million dollars, shall not be exceeded by more than ten per centum.

5 **6.** (1) The Minister may negotiate and enter into such Minister empowered to negotiate and enter into contracts. contracts with the Broken Hill Proprietary Company Limited, and with other persons, as he may consider necessary for and in connection with the improvement and further development of Port Kembla and contiguous areas, including
10 contracts for—

- (a) exchanges, leasing and sale of lands;
- (b) the opening and closing of roads;
- (c) the acquisition of land; and
- 15 (d) the repayment to the said Company of any amounts advanced by it for and in connection with the said improvement and further development.

(2) A contract under subsection one of this section shall be subject to the concurrence of the Treasurer and the approval of the Governor.

20 **7.** (1) The scheduled works and any contractual work Application of the Public Works Act, 1912. shall be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

(2) For the purpose of the scheduled works and any contractual work the Minister shall be the Constructing
25 Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections thirty-four, thirty-five, thirty-six and thirty-seven thereof, shall apply to and in respect of the scheduled works and any contractual work.

(4)

Port Kembla (Further Development).

(4) Without prejudice to the generality of the other provisions of this section the provisions of section thirty-eight of the Act shall apply to and in respect of a contract made or to be made under subsection two of section four or under subsection one of section six of this Act.

8. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the Plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

Provision
re public
roads.

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

9. The provisions of the Harbour and Tonnage Rates Act, 1920, and the regulations made thereunder, in so far as they relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges, shall apply to and in respect of every wharf as if it were a public wharf, and harbour and tonnage rates and berthing charges shall be payable accordingly in respect of all vessels berthed at a wharf :

Provisions
of Harbour
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nage Rates
Act, 1920,
to apply.

35 Provided that in respect of a vessel while berthed at a wharf erected under a contract, entered into in pursuance of section six of this Act, by which the whole or part of the cost of construction of such wharf has been provided by the owner

Port Kembla (Further Development).

owner of such vessel, the harbour and tonnage rates and berthing charges to be paid in respect of that vessel and its cargoes shall be the rates and charges provided for in such contract, or if no provision is made therefor in the contract, such proportion of the rates and charges which but
5 for this proviso would be payable as shall be approved by the Governor.

10 **10.** Section three hundred and twenty-seven of the Local Government Act, 1919, shall not apply in respect of any subdivision of land made for the purposes of this Act.

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

SCHEDULE.

DESCRIPTION OF WORKS.

A deepening of the approaches to Port Kembla Outer Harbour and the extension of the breakwaters, together with the provision
15 of such channels and turning areas in the Outer Harbour as are necessary to permit the passage of vessels having draughts of up to fifty feet.

The deepening, to permit the passage of vessels having draughts of up to fifty feet, and widening of the channel from the Outer
20 Harbour to the Inner Harbour, together with any necessary structural works and the alteration or relocation or removal and replacement of any existing structures affected by the works.

The deepening of the Inner Harbour generally and the provision of a deep channel to enable vessels having draughts of up to fifty
25 feet to navigate into and berth at the wharves built or to be built by Australian Iron and Steel Pty. Ltd. on land adjoining the Inner Harbour.

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

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971

Part 4 (with further amendments)

owner of such vessel, the harbor and tonnage rates and
berthing charges to be paid in respect of that vessel and
the cargo shall be the rates and charges provided for in
the schedule and no provision is made therein in the ton-
nage and cargo rates and charges which but
for this provision would be payable as if approved by
the Governor.

Section 117
of the
Government
Act No. 1971
shall apply in respect of any
vessel which
is a
vessel

18. Section 117 (b) (i) and (ii) shall not apply in respect of any
vessel which is a vessel of the Government of the State
or a vessel of the Government of the State of Kerala.

SCHEDULE

Description of Works

A certificate in the appended form shall be issued to the
owner of the vessel in respect of the works provided for in
this schedule and the vessel shall be entitled to the
benefit of the rates and charges provided for in this
schedule in respect of the works provided for in this
schedule.

1. The Government shall be entitled to the benefit of the rates and
charges provided for in this schedule in respect of the works
provided for in this schedule.

2. The Government shall be entitled to the benefit of the rates and
charges provided for in this schedule in respect of the works
provided for in this schedule.

3. The Government shall be entitled to the benefit of the rates and
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PROOF

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New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 28, 1971.

An Act to sanction and provide for the carrying out of certain works at and in connection with the Inner and Outer Harbours at Port Kembla, including dredging and excavating work; to authorise the Minister to negotiate and enter into contracts with the Broken Hill Proprietary Company Limited and other persons; to amend the Public Works Act, 1912; and for purposes connected therewith. [Assented to, 27th September, 1971.]

BE

Port Kembla (Further Development).

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

Short title. **1.** This Act may be cited as the "Port Kembla (Further Development) Act, 1971".

Interpre- **2.** In this Act, except in so far as the context or subject-
tation. matter otherwise indicates or requires—

 "contractual work" means work carried out or to be carried out in pursuance of a contract made under subsection one of section six of this Act;

 "scheduled works" means the works described in the Schedule to this Act;

 "wharf" means any structure, landing place or facility, erected, constructed or provided, before or after the commencement of this Act, in the Inner or Outer Harbour of Port Kembla or on land adjoining or adjacent thereto, where cargo may be loaded or discharged or where vessels may be berthed.

The plan. **3.** The plan of the scheduled works is the plan marked "Port Kembla Further Development 1971" signed by the Minister, countersigned by the Director of Public Works and deposited in the Public Office of the Minister.

Scheduled works sanctioned. **4.** (1) The carrying out of the scheduled works is hereby sanctioned.

 (2) The Minister 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 he may consider necessary.

5.

Port Kembla (Further Development).

5. The cost of carrying out the scheduled works which, exclusive of land exchanges and land acquisition, is estimated at thirty million dollars, shall not be exceeded by more than ten per centum.

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

6. (1) The Minister may negotiate and enter into such contracts with the Broken Hill Proprietary Company Limited, and with other persons, as he may consider necessary for and in connection with the improvement and further development of Port Kembla and contiguous areas, including contracts for—

Minister empowered to negotiate and enter into contracts.

- (a) exchanges, leasing and sale of lands;
- (b) the opening and closing of roads;
- (c) the acquisition of land; and
- (d) the repayment to the said Company of any amounts advanced by it for and in connection with the said improvement and further development.

(2) A contract under subsection one of this section shall be subject to the concurrence of the Treasurer and the approval of the Governor.

7. (1) The scheduled works and any contractual work shall be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application of the Public Works Ac. 1912.

(2) For the purpose of the scheduled works and any contractual work the Minister shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections thirty-four, thirty-five, thirty-six and thirty-seven thereof, shall apply to and in respect of the scheduled works and any contractual work.

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Port Kembla (Further Development).

(4) Without prejudice to the generality of the other provisions of this section the provisions of section thirty-eight of the Act shall apply to and in respect of a contract made or to be made under subsection two of section four or under subsection one of section six of this Act.

Provision
re public
roads.

8. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the Plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

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

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Provided that in respect of a vessel while berthed at a wharf erected under a contract, entered into in pursuance of section six of this Act, by which the whole or part of the cost of construction of such wharf has been provided by the

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Port Kembla (Further Development).

owner of such vessel, the harbour and tonnage rates and berthing charges to be paid in respect of that vessel and its cargoes shall be the rates and charges provided for in such contract, or if no provision is made therefor in the contract, such proportion of the rates and charges which but for this proviso would be payable as shall be approved by the Governor.

10. Section three hundred and twenty-seven of the Local Government Act, 1919, shall not apply in respect of any subdivision of land made for the purposes of this Act.

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DESCRIPTION OF WORKS.

A deepening of the approaches to Port Kembla Outer Harbour and the extension of the breakwaters, together with the provision of such channels and turning areas in the Outer Harbour as are necessary to permit the passage of vessels having draughts of up to fifty feet.

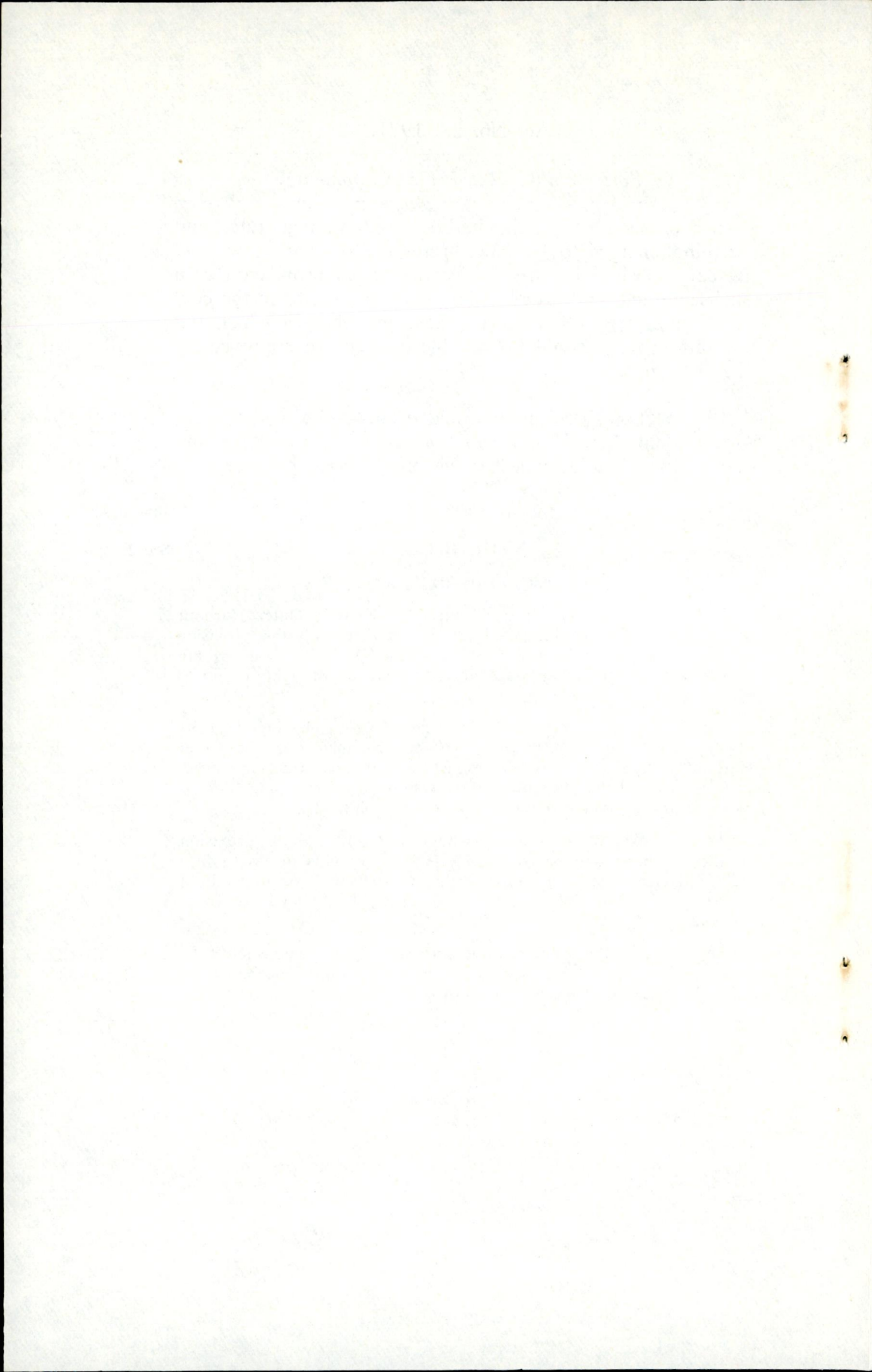
The deepening, to permit the passage of vessels having draughts of up to fifty feet, and widening of the channel from the Outer Harbour to the Inner Harbour, together with any necessary structural works and the alteration or relocation or removal and replacement of any existing structures affected by the works.

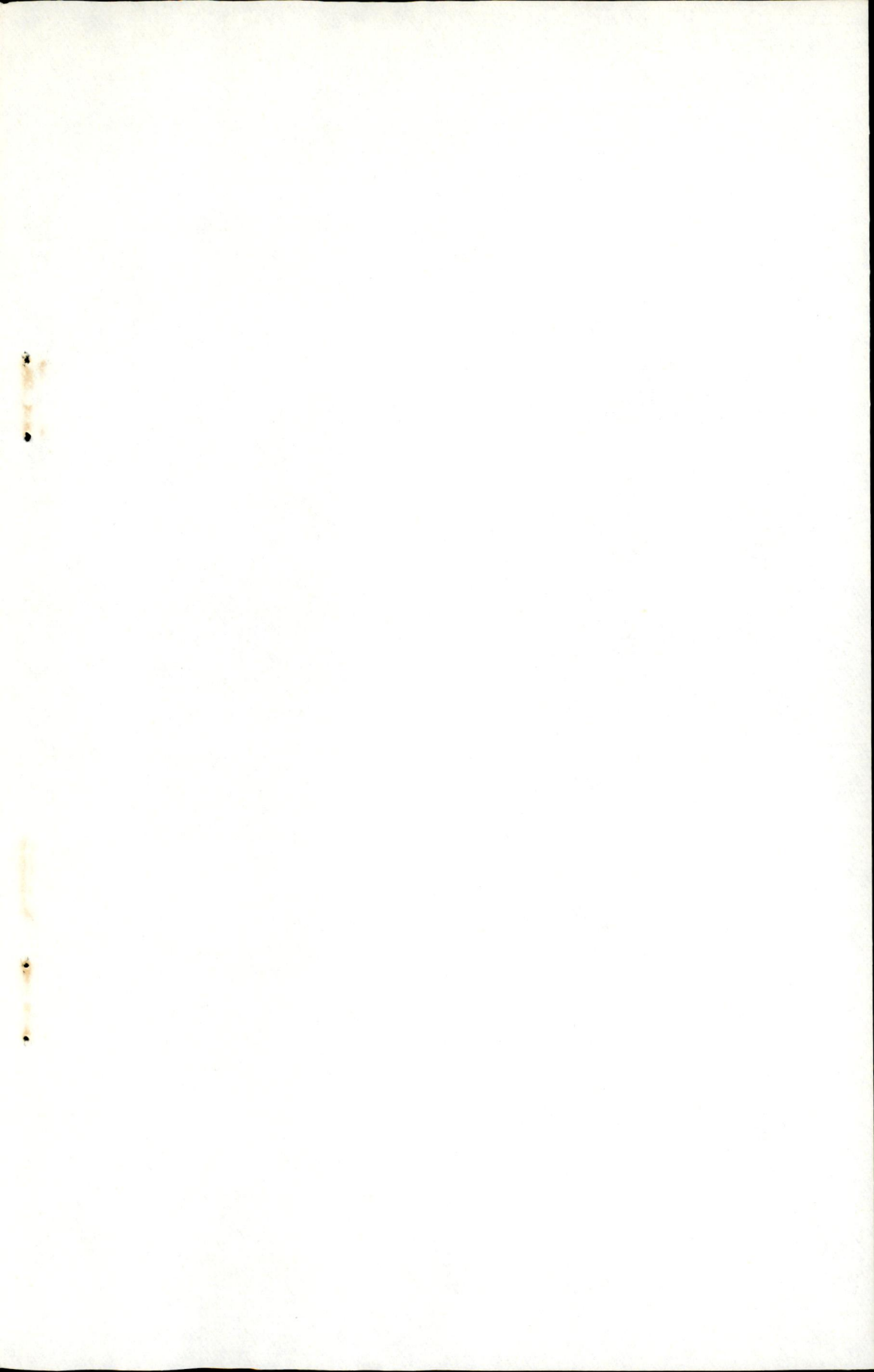
The deepening of the Inner Harbour generally and the provision of a deep channel to enable vessels having draughts of up to fifty feet to navigate into and berth at the wharves built or to be built by Australian Iron and Steel Pty. Ltd. on land adjoining the Inner Harbour.

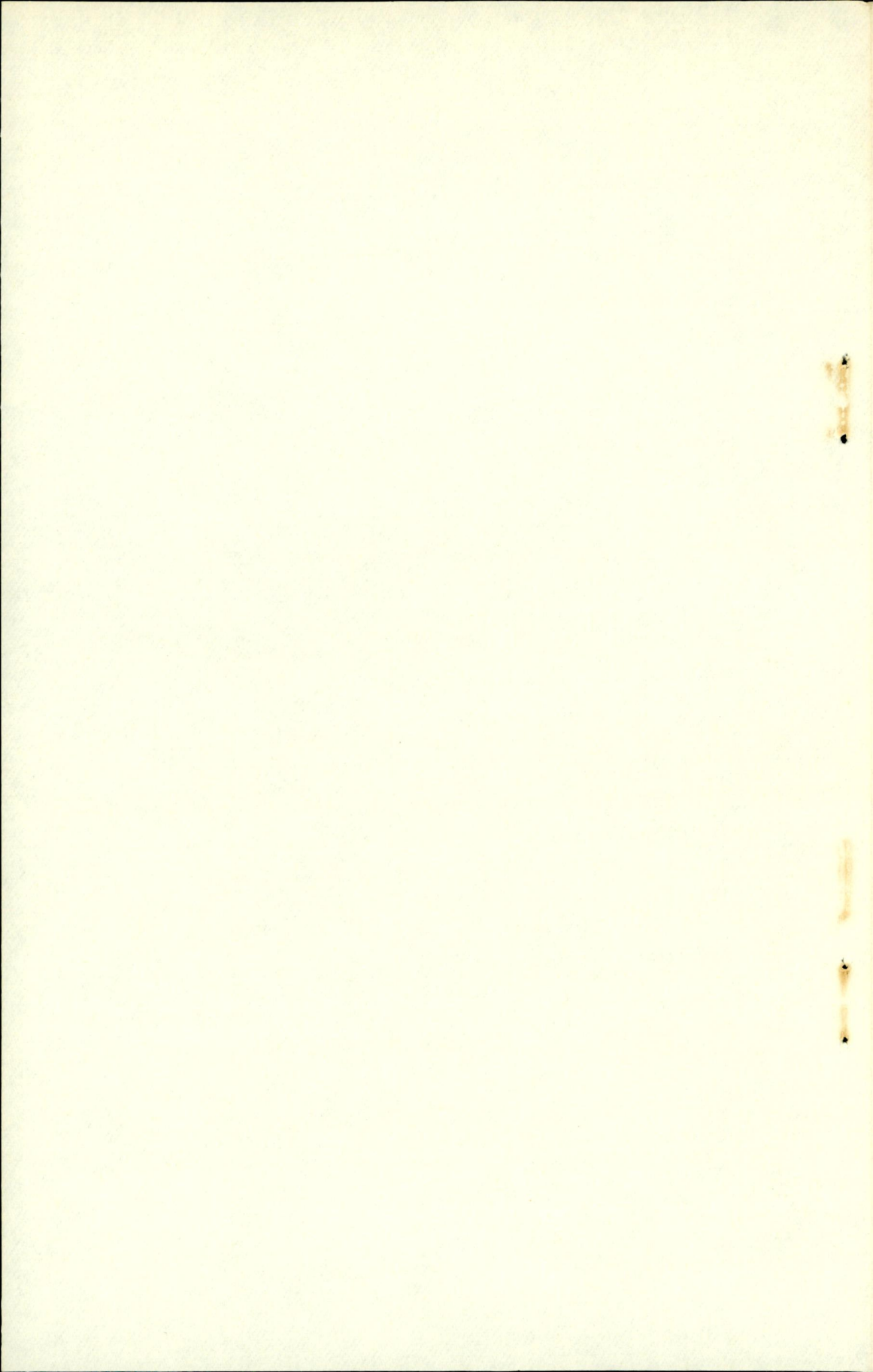
The whole of the work hereinbefore described to be subject to such modifications and deviations as may be deemed necessary or desirable by the Constructing Authority.

BY AUTHORITY

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971







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, 16 September, 1971.*

New South Wales



ANNO VICESIMO

ELIZABETHÆ II REGINÆ

Act No. 28, 1971.

An Act to sanction and provide for the carrying out of certain works at and in connection with the Inner and Outer Harbours at Port Kembla, including dredging and excavating work; to authorise the Minister to negotiate and enter into contracts with the Broken Hill Proprietary Company Limited and other persons; to amend the Public Works Act, 1912; and for purposes connected therewith. [Assented to, 27th September, 1971.]

BE

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

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

Port Kembla (Further Development).

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

Short title. **1.** This Act may be cited as the "Port Kembla (Further Development) Act, 1971".

Interpre-
tation. **2.** In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

"contractual work" means work carried out or to be carried out in pursuance of a contract made under subsection one of section six of this Act;

"scheduled works" means the works described in the Schedule to this Act;

"wharf" means any structure, landing place or facility, erected, constructed or provided, before or after the commencement of this Act, in the Inner or Outer Harbour of Port Kembla or on land adjoining or adjacent thereto, where cargo may be loaded or discharged or where vessels may be berthed.

The plan. **3.** The plan of the scheduled works is the plan marked "Port Kembla Further Development 1971" signed by the Minister, countersigned by the Director of Public Works and deposited in the Public Office of the Minister.

Scheduled
works
sanctioned. **4.** (1) The carrying out of the scheduled works is hereby sanctioned.

(2) The Minister 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 he may consider necessary.

5.

Port Kembla (Further Development).

5. The cost of carrying out the scheduled works which, exclusive of land exchanges and land acquisition, is estimated at thirty million dollars, shall not be exceeded by more than ten per centum.

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

6. (1) The Minister may negotiate and enter into such contracts with the Broken Hill Proprietary Company Limited, and with other persons, as he may consider necessary for and in connection with the improvement and further development of Port Kembla and contiguous areas, including contracts for—

Minister empowered to negotiate and enter into contracts.

- (a) exchanges, leasing and sale of lands;
- (b) the opening and closing of roads;
- (c) the acquisition of land; and
- (d) the repayment to the said Company of any amounts advanced by it for and in connection with the said improvement and further development.

(2) A contract under subsection one of this section shall be subject to the concurrence of the Treasurer and the approval of the Governor.

7. (1) The scheduled works and any contractual work shall be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as "the Act").

Application of the Public Works Act, 1912.

(2) For the purpose of the scheduled works and any contractual work the Minister shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections thirty-four, thirty-five, thirty-six and thirty-seven thereof, shall apply to and in respect of the scheduled works and any contractual work.

(4)

Port Kembla (Further Development).

(4) Without prejudice to the generality of the other provisions of this section the provisions of section thirty-eight of the Act shall apply to and in respect of a contract made or to be made under subsection two of section four or under subsection one of section six of this Act.

Provision
re public
roads.

8. (1) The Minister, in respect of such portion or portions of the lands within the Port boundaries delineated on the Plan referred to in section three of this Act as are at the commencement of this Act used or dedicated as public roads, is empowered to close by notice in the Gazette the whole of that portion or those portions or such part or parts of that portion or those portions as he shall from time to time deem necessary for the purposes of this Act and upon publication in the Gazette of any such notice any and every dedication of the lands described in the notice for public road shall absolutely cease and determine and the rights of any person to use the lands so described or any part thereof for the purposes of a road shall be extinguished and the lands so described shall vest in the Minister as Constructing Authority for the purposes of this Act.

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

Provisions
of Harbour
and Ton-
nage Rates
Act, 1920,
to apply.

9. The provisions of the Harbour and Tonnage Rates Act, 1920, and the regulations made thereunder, in so far as they relate to the imposition, collection and payment of harbour and tonnage rates and berthing charges, shall apply to and in respect of every wharf as if it were a public wharf, and harbour and tonnage rates and berthing charges shall be payable accordingly in respect of all vessels berthed at a wharf :

Provided that in respect of a vessel while berthed at a wharf erected under a contract, entered into in pursuance of section six of this Act, by which the whole or part of the cost of construction of such wharf has been provided by the
owner

Port Kembla (Further Development).

owner of such vessel, the harbour and tonnage rates and berthing charges to be paid in respect of that vessel and its cargoes shall be the rates and charges provided for in such contract, or if no provision is made therefor in the contract, such proportion of the rates and charges which but for this proviso would be payable as shall be approved by the Governor.

10. Section three hundred and twenty-seven of the Local Government Act, 1919, shall not apply in respect of any subdivision of land made for the purposes of this Act.

Section 327
of Local
Government
Act, 1919,
not to
apply to sub-
divisions.

SCHEDULE.

Sec. 2.

DESCRIPTION OF WORKS.

A deepening of the approaches to Port Kembla Outer Harbour and the extension of the breakwaters, together with the provision of such channels and turning areas in the Outer Harbour as are necessary to permit the passage of vessels having draughts of up to fifty feet.

The deepening, to permit the passage of vessels having draughts of up to fifty feet, and widening of the channel from the Outer Harbour to the Inner Harbour, together with any necessary structural works and the alteration or relocation or removal and replacement of any existing structures affected by the works.

The deepening of the Inner Harbour generally and the provision of a deep channel to enable vessels having draughts of up to fifty feet to navigate into and berth at the wharves built or to be built by Australian Iron and Steel Pty. Ltd. on land adjoining the Inner Harbour.

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

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 27th September, 1971.*

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Article I, Section 2, Clause 3: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Article I, Section 2, Clause 4: The Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

SECTION 1

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Section 4: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

In the name and by the authority of the President of the United States

A. R. CLERK



