

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 September, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. , 1975.

An Act to enable the area in respect of which works can be carried out under the Hunter Valley Flood Mitigation Act, 1956, to be enlarged by way of regulation; for this and other purposes to amend that Act; and for purposes connected therewith.

BE

Hunter Valley Flood Mitigation (Amendment).

5 **B**E 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 "Hunter Valley Flood Mitigation (Amendment) Act, 1975". Short title.

2. The Hunter Valley Flood Mitigation Act, 1956, is amended— Amendment of Act No. 10, 1956.

10 (a) by inserting in the definition of "Hunter Valley" in section 2 (1) after the word "River" the words "and includes so much of any land, prescribed for the purposes of this definition, that is outside that catchment area and is, as at the date of commencement of the Hunter Valley Flood Mitigation (Amendment) Act, 1975, inside the boundaries of the Shire of Coolah, Lake Macquarie, Mudgee, Murrurundi, Port Stephens or Rylstone"; Sec. 2. (Interpretation.)

20 (b) by omitting section 7 and by inserting instead the following section :— Sec. 7.

7. (1) Part II of the Water Act, 1912, section 26D excepted, does not apply to the lower river. Certain provisions of Water Act, 1912, not to apply to lower river.

25 (2) All licenses, permits and authorities for joint water supply schemes that were issued under the provisions of Part II of the Water Act, 1912,

in

Hunter Valley Flood Mitigation (Amendment).

in respect of works to which that Part extends and would, but for this subsection, be in force in respect of the lower river—

(a) do not have any force; and

5 (b) are revoked at the time when they cease to have any force by virtue of paragraph (a).

10 (c) by omitting from section 8 (3) (a) the words “the lower river, constructed or erected before the commencement of this Act” and by inserting instead the words “a part of the lower river, constructed or erected before the date that the portion of the Hunter Valley through which that part of the River flows was first prescribed for the purposes of section 2 (2) (a)”;

Sec. 8.
(Construction and use of levee banks, etc., in respect of lower river.)

15 (d) (i) by omitting from section 40 (6) (a) the words “the Minister for Conservation” and by inserting instead the words “a Minister of the Crown (other than the Minister for Public Works) appointed by the Governor for the purposes of this subsection.”;

20 Sec. 40.
(Contribution by Trust to cost of works; programme of works to be submitted to Trust.)

(ii) by omitting from section 40 (6) (b) the words “The Minister for Conservation” and by inserting instead the words “The Minister appointed pursuant to paragraph (a)”;

25 (e) (i) by omitting from section 41 (1) the words “Minister for Conservation having made” and by inserting instead the words “making of”;

Sec. 41.
(Payment of contribution by Trust.)

(ii)

Hunter Valley Flood Mitigation (Amendment).

- (ii) by omitting from section 41 (1) the words
“by the Minister for Conservation”;
- (iii) by omitting from section 41 (2) the word
“Colonial”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975
[8c]

No. , 1975.

A BILL

To enable the area in respect of which works can be carried out under the Hunter Valley Flood Mitigation Act, 1956, to be enlarged by way of regulation; for this and other purposes to amend that Act; and for purposes connected therewith.

[MR PUNCH—10 *September*, 1975.]

BE

Hunter Valley Flood Mitigation (Amendment).

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 "Hunter Valley Flood Mitigation (Amendment) Act, 1975". Short title.

2. The Hunter Valley Flood Mitigation Act, 1956, is amended— Amendment of Act No. 10, 1956.

10 (a) by inserting in the definition of "Hunter Valley" in section 2 (1) after the word "River" the words "and includes so much of any land, prescribed for the purposes of this definition, that is outside that catchment area and is, as at the date of commencement of the Hunter Valley Flood Mitigation (Amendment) Act, 1975, inside the boundaries of the Shire of Coolah, Lake Macquarie, Mudgee, Murrurundi, Port Stephens or Rylstone"; Sec. 2. (Interpretation.)

15
20 (b) by omitting section 7 and by inserting instead the following section :— Sec. 7.

7. (1) Part II of the Water Act, 1912, section 26D excepted, does not apply to the lower river. Certain provisions of Water Act, 1912, not to apply to lower river.

(2) All licenses, permits and authorities for joint water supply schemes that were issued under the provisions of Part II of the Water Act, 1912, not to apply to lower river.

25

in

Hunter Valley Flood Mitigation (Amendment).

in respect of works to which that Part extends and would, but for this subsection, be in force in respect of the lower river—

- (a) do not have any force; and
- 5 (b) are revoked at the time when they cease to have any force by virtue of paragraph (a).
- 10 (c) by omitting from section 8 (3) (a) the words “the lower river, constructed or erected before the commencement of this Act” and by inserting instead the words “a part of the lower river, constructed or erected before the date that the portion of the Hunter Valley through which that part of the River flows was first prescribed for the purposes of section 2 (2) (a)”;
- 15 (d) (i) by omitting from section 40 (6) (a) the words “the Minister for Conservation” and by inserting instead the words “a Minister of the Crown (other than the Minister for Public Works) appointed by the Governor for the purposes of this subsection,”;
- 20 (ii) by omitting from section 40 (6) (b) the words “The Minister for Conservation” and by inserting instead the words “The Minister appointed pursuant to paragraph (a)”;
- 25 (e) (i) by omitting from section 41 (1) the words “Minister for Conservation having made” and by inserting instead the words “making of”;
- (ii)

Sec. 8.
(Construction and use of levee banks, etc., in respect of lower river.)

Sec. 40.
(Contribution by Trust to cost of works; programme of works to be submitted to Trust.)

Sec. 41.
(Payment of contribution by Trust.)

Hunter Valley Flood Mitigation (Amendment).

- (ii) by omitting from section 41 (1) the words
"by the Minister for Conservation";
- (iii) by omitting from section 41 (2) the word
"Colonial".

**HUNTER VALLEY FLOOD MITIGATION (AMENDMENT)
BILL, 1975**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to enable the area described in the definition of "Hunter Valley" in the Hunter Valley Flood Mitigation Act, 1956, to be enlarged (within the areas of certain named shires) by way of regulation, thus allowing the Department of Public Works or the Water Conservation and Irrigation Commission, as the case may be, to carry out flood prevention and mitigation works in certain areas outside the Hunter River catchment area;
 - (b) to provide that any differences arising between the Constructing Authority under that Act and the Hunter Valley Conservation Trust in relation to programmes of works shall be referred for determination by a Minister (other than the Minister for Public Works) appointed by the Governor, instead of by the Minister for Conservation; and
 - (c) to make other provisions of a minor, consequential or ancillary nature.
-

PROOF

HUNTER VALLEY FLOOD MITIGATION (AMENDMENT)
BILL 1975

EXPLANATORY NOTE

The object of the Bill is

to amend the Flood Mitigation Act 1974 in relation to the Hunter Valley Flood Mitigation Scheme. The amendments are as follows:—

(a) to extend the period for which the Hunter Valley Flood Mitigation Scheme may be operated to 31st December 1975;

(b) to provide that the Hunter Valley Flood Mitigation Scheme may be operated for a period of not more than 12 months in any one year; and

(c) to provide that the Hunter Valley Flood Mitigation Scheme may be operated for a period of not more than 12 months in any one year.

PROOF

No. , 1975.

A BILL

To enable the area in respect of which works can be carried out under the Hunter Valley Flood Mitigation Act, 1956, to be enlarged by way of regulation; for this and other purposes to amend that Act; and for purposes connected therewith.

[MR PUNCH—10 September, 1975.]

BE

Hunter Valley Flood Mitigation (Amendment).

5 **B**E 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 "Hunter Valley Flood Mitigation (Amendment) Act, 1975". Short title.

2. The Hunter Valley Flood Mitigation Act, 1956, is amended— Amendment of Act No. 10, 1956.

10 (a) by inserting in the definition of "Hunter Valley" in section 2 (1) after the word "River" the words Sec. 2. (Interpretation.)
"and includes so much of any land, prescribed for the purposes of this definition, that is outside that
15 catchment area and is, as at the date of commencement of the Hunter Valley Flood Mitigation (Amendment) Act, 1975, inside the boundaries of the Shire of Coolah, Lake Macquarie, Mudgee, Murrurundi, Port Stephens or Rylstone";

20 (b) by omitting section 7 and by inserting instead the following section :— Sec. 7.

7. (1) Part II of the Water Act, 1912, section 26D excepted, does not apply to the lower river. Certain provisions of Water Act, 1912, not to

25 (2) All licenses, permits and authorities for joint water supply schemes that were issued under the provisions of Part II of the Water Act, 1912, apply to lower river.

in

Hunter Valley Flood Mitigation (Amendment).

in respect of works to which that Part extends and would, but for this subsection, be in force in respect of the lower river—

(a) do not have any force; and

5 (b) are revoked at the time when they cease to have any force by virtue of paragraph (a).

10 (c) by omitting from section 8 (3) (a) the words “the lower river, constructed or erected before the commencement of this Act” and by inserting instead the words “a part of the lower river, constructed or erected before the date that the portion of the Hunter Valley through which that part of the River flows was first prescribed for the purposes of section 2 (2) (a)”;

Sec. 8.
(Construction and use of levee banks, etc., in respect of lower river.)

15 (d) (i) by omitting from section 40 (6) (a) the words “the Minister for Conservation” and by inserting instead the words “a Minister of the Crown (other than the Minister for Public Works) appointed by the Governor for the purposes of this subsection.”;

Sec. 40.
(Contribution by Trust to cost of works; programme of works to be submitted to Trust.)

(ii) by omitting from section 40 (6) (b) the words “The Minister for Conservation” and by inserting instead the words “The Minister appointed pursuant to paragraph (a)”;

25 (e) (i) by omitting from section 41 (1) the words “Minister for Conservation having made” and by inserting instead the words “making of”;

Sec. 41.
(Payment of contribution by Trust.)

(ii)

Hunter Valley Flood Mitigation (Amendment).

- (ii) by omitting from section 41 (1) the words
"by the Minister for Conservation";
- (iii) by omitting from section 41 (2) the word
"Colonial".

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 61, 1975.

An Act to enable the area in respect of which works can be carried out under the Hunter Valley Flood Mitigation Act, 1956, to be enlarged by way of regulation; for this and other purposes to amend that Act; and for purposes connected therewith. [Assented to, 23rd October, 1975.]

BE

Hunter Valley Flood Mitigation (Amendment).

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 "Hunter Valley Flood Mitigation (Amendment) Act, 1975".

Amend-
ment of
Act No. 10,
1956.

2. The Hunter Valley Flood Mitigation Act, 1956, is amended—

Sec. 2.
(Interpre-
tation.)

(a) by inserting in the definition of "Hunter Valley" in section 2 (1) after the word "River" the words "
, and includes so much of any land, prescribed for the purposes of this definition, that is outside that catchment area and is, as at the date of commencement of the Hunter Valley Flood Mitigation (Amendment) Act, 1975, inside the boundaries of the Shire of Coolah, Lake Macquarie, Mudgee, Murrurundi, Port Stephens or Rylstone";

Sec. 7.

(b) by omitting section 7 and by inserting instead the following section:—

Certain
provisions
of Water
Act, 1912,
not to
apply to
lower
river.

7. (1) Part II of the Water Act, 1912, section 26D excepted, does not apply to the lower river.

(2) All licenses, permits and authorities for joint water supply schemes that were issued under the provisions of Part II of the Water Act, 1912,

in

Hunter Valley Flood Mitigation (Amendment).

in respect of works to which that Part extends and would, but for this subsection, be in force in respect of the lower river—

- (a) do not have any force; and
- (b) are revoked at the time when they cease to have any force by virtue of paragraph (a).
- (c) by omitting from section 8 (3) (a) the words “the lower river, constructed or erected before the commencement of this Act” and by inserting instead the words “a part of the lower river, constructed or erected before the date that the portion of the Hunter Valley through which that part of the River flows was first prescribed for the purposes of section 2 (2) (a)”;
- (d) (i) by omitting from section 40 (6) (a) the words “the Minister for Conservation” and by inserting instead the words “a Minister of the Crown (other than the Minister for Public Works) appointed by the Governor for the purposes of this subsection,”;
- (ii) by omitting from section 40 (6) (b) the words “The Minister for Conservation” and by inserting instead the words “The Minister appointed pursuant to paragraph (a)”;
- (e) (i) by omitting from section 41 (1) the words “Minister for Conservation having made” and by inserting instead the words “making of”;
- (ii)

Sec. 8.
(Construction and use of levee banks, etc., in respect of lower river.)

Sec. 40.
(Contribution by Trust to cost of works; programme of works to be submitted to Trust.)

Sec. 41.
(Payment of contribution by Trust.)

Hunter Valley Flood Mitigation (Amendment).

- (ii) by omitting from section 41 (1) the words
“by the Minister for Conservation”;
- (iii) by omitting from section 41 (2) the word
“Colonial”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1975

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 8 October, 1975.*

New South Wales



ANNO VICESIMO QUARTO

ELIZABETHÆ II REGINÆ

Act No. 61, 1975.

An Act to enable the area in respect of which works can be carried out under the Hunter Valley Flood Mitigation Act, 1956, to be enlarged by way of regulation; for this and other purposes to amend that Act; and for purposes connected therewith. [Assented to, 23rd October, 1975.]

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.

Hunter Valley Flood Mitigation (Amendment).

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 "Hunter Valley Flood Mitigation (Amendment) Act, 1975".

Amend-
ment of
Act No. 10,
1956.

2. The Hunter Valley Flood Mitigation Act, 1956, is amended—

Sec. 2.
(Interpre-
tation.)

(a) by inserting in the definition of "Hunter Valley" in section 2 (1) after the word "River" the words "and includes so much of any land, prescribed for the purposes of this definition, that is outside that catchment area and is, as at the date of commencement of the Hunter Valley Flood Mitigation (Amendment) Act, 1975, inside the boundaries of the Shire of Coolah, Lake Macquarie, Mudgee, Murrurundi, Port Stephens or Rylstone";

Sec. 7.

(b) by omitting section 7 and by inserting instead the following section :—

Certain
provisions
of Water
Act, 1912,
not to
apply to
lower
river.

7. (1) Part II of the Water Act, 1912, section 26D excepted, does not apply to the lower river.

(2) All licenses, permits and authorities for joint water supply schemes that were issued under the provisions of Part II of the Water Act, 1912,

in

Hunter Valley Flood Mitigation (Amendment).

in respect of works to which that Part extends and would, but for this subsection, be in force in respect of the lower river—

- (a) do not have any force; and
- (b) are revoked at the time when they cease to have any force by virtue of paragraph (a).
- (c) by omitting from section 8 (3) (a) the words “the lower river, constructed or erected before the commencement of this Act” and by inserting instead the words “a part of the lower river, constructed or erected before the date that the portion of the Hunter Valley through which that part of the River flows was first prescribed for the purposes of section 2 (2) (a)”;
- (d) (i) by omitting from section 40 (6) (a) the words “the Minister for Conservation” and by inserting instead the words “a Minister of the Crown (other than the Minister for Public Works) appointed by the Governor for the purposes of this subsection.”;
- (ii) by omitting from section 40 (6) (b) the words “The Minister for Conservation” and by inserting instead the words “The Minister appointed pursuant to paragraph (a)”;
- (e) (i) by omitting from section 41 (1) the words “Minister for Conservation having made” and by inserting instead the words “making of”;
- (ii)

Sec. 8.
(Construction and use of levee banks, etc., in respect of lower river.)

Sec. 40.
(Contribution by Trust to cost of works; programme of works to be submitted to Trust.)

Sec. 41.
(Payment of contribution by Trust.)

Hunter Valley Flood Mitigation (Amendment).

- (ii) by omitting from section 41 (1) the words "by the Minister for Conservation";
- (iii) by omitting from section 41 (2) the word "Colonial".

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 23rd October, 1975.*