

**TOONUMBAR DAM ACT.**

**New South Wales**



ANNO SEXTO DECIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 83, 1967.**

An Act to sanction and to provide for the construction of a dam across the Iron Pot Creek about fifteen and a half miles upstream from its junction with Eden Creek and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith. [Assented to, 14th December, 1967.]

**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 "Toonumbar Dam Act, Short title. 1967".
- 2.

*Toonumbar Dam.*

No. 83, 1967 **2.** (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.

Work  
sanctioned.

(b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts.

(c) The Water Conservation and Irrigation Commission is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such Authority may think proper.

(d) The provisions of the Public Works Act, 1912, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

The plan. **3.** The plan of the said work is the plan marked "Iron Pot Creek—Proposed Toonumbar Dam", sealed with the Seal of The Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 37/403.

Estimated cost. **4.** The cost of carrying out the said work is estimated at five million three hundred thousand dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

**5.**

*Toonumbar Dam.*

5. For the purposes of this Act, but not otherwise, the Public Works Act, 1912, as amended by subsequent Acts, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

No. 83, 1967  
Amend-  
ment of  
Act No. 45  
1912.

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 been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.

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SCHEDULE.

Sec. 2  
(1) (a).

(1) The construction of—

- (a) an earth and rock-fill dam across the Iron Pot Creek about 15.5 miles upstream from its junction with Eden Creek within portions 2 and 9, parish of Babyil, and portion 19, parish of Toonumbar, all county of Rous, of a height sufficient to store about 9,000 acre-feet of water for irrigation purposes, with necessary spillway and outlet works for regulation of the discharge of water from the storage, together with works incidental thereto;
- (b) road deviations and roads of access together with structures incidental thereto ;
- (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.

(2) The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.

(3) The whole of the works hereinbefore described to be subject to such modifications as may be deemed necessary by the Constructing Authority.

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AUCTIONEERS