

WINDAMERE DAM ACT.

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 76, 1970.

An Act to sanction and to provide for the construction of a dam across the Cudgegong River about fourteen miles south-east of Mudgee and works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 27th November, 1970.]

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No. 76, 1970 **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 :—

Short title. **1.** This Act may be cited as the "Windamere Dam Act, 1970".

Work sanctioned. **2.** (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.

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

(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 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, 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, 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 "Cudgegong River—Proposed Windamere 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. 139/752.

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4. The cost of carrying out the said work is estimated at No. 76, 1970 twelve million dollars and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum. ^{Estimated cost.}

5. For the purposes of this Act, but not otherwise, the Amendment of Act No. 45, 1912. Public Works Act, 1912, shall be deemed to be amended by inserting at the end of subsection two of section one hundred and twenty-six the following proviso :—

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.

SCHEDULE

(1) The construction of—

Sec. 2
(1) (a).

- (a) a dam across the Cudgegong River about 14 miles south-east of the town of Mudgee, within portions 12 and 66, parish of Arthur, county of Phillip, and within portion 239, parish of Tannabutta, county of Wellington, of a height sufficient to store about 280,000 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) roads of access and relocation of existing roads together with structures incidental thereto and relocation or re-establishment of other existing services;
- (c) works necessary to prevent siltation within the reservoir and for the protection of the foreshores of the storage.

(2)

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No. 67, 1970 (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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