

TOMBULLEN STORAGE ACT, 1978, No. 23

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

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Act No. 23, 1978.

An Act to sanction and provide for the carrying out of certain works for or associated with the storage, and the regulated release, of water in the Tombullen Swamp.
[Assented to, 16th March, 1978.]

Tombullen Storage.

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 "Tombullen Storage Short title. Act, 1978".

2. (1) In this Act—

Interpreta-
tion.

"Commission" means the Water Resources Commission constituted under the Water Resources Commission Act, 1976;

"scheduled works" means the works described in Schedule 1, subject to such modifications and deviations as may be considered necessary or desirable by the Commission.

(2) The sites of the various works referred to in items 1, 2 and 3 of Schedule 1 are shown on the plan marked "Proposed Tombullen Storage", sealed with the official seal of the Commission, deposited in the head office of the Commission and catalogued No. 145/695.

3. (1) The carrying out of the scheduled works is hereby Scheduled
works
sanctioned. 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
cost not
to be
exceeded
by more
than 10 per
centum. estimated at \$3,000,000, shall not be exceeded by more than 10 per centum.

Application
of Public
Works Act,
1912.

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5. (1) The scheduled works shall be deemed to be an authorised work 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 the Commission shall be deemed to 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).

Sec. 2.

SCHEDULE 1.

DESCRIPTION OF WORKS.

1. Works for or associated with the storage of water in the Tombullen Swamp (referred to in this Schedule as "the swamp"), about 10 kilometres southwest from Gogeldrie Weir, between the Murrumbidgee River, the Coleambally Canal and the Sturt Highway, within the Parishes of Jurambula and Tubbo, County of Boyd, and the regulated release of that water for use in balancing the flows in the Murrumbidgee River, comprising—

- (a) the construction of levees around the swamp to increase its full storage capacity to approximately 11,000 megalitres with a surface area of about 350 hectares;
- (b) the construction of an inlet channel, with a regulator, connecting the swamp with the Coleambally Canal to permit controlled filling of the storage with water from that canal;
- (c) the construction of an outlet regulator to permit controlled release of water from the storage back into the Murrumbidgee River via Tombullen Creek; and

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SCHEDULE 1—continued.

DESCRIPTION OF WORKS—continued.

- (d) the clearing, widening and deepening of Tombullen Creek to carry the required discharges of water back to the Murrumbidgee River.
- 2. The construction of subsidiary levees and spillways necessary for the protection of the works referred to in item 1 against flooding.
- 3. The relocation of an existing Shire road, together with an associated travelling stock route, including the construction of a bridge over the inlet channel referred to in item 1 (b).
- 4. The relocation of part of a travelling stock camping reserve.
- 5. The construction of access roads to the works referred to in item 1.
- 6. The establishment of borrow areas for materials required for carrying out the works referred to in items 1 to 5 inclusive and items 7 and 8.
- 7. The carrying out of such works for the protection of the environment as may be deemed by the Commission necessary or desirable as a consequence of carrying out any of the works referred to in items 1 to 6 inclusive and item 8.
- 8. The carrying out of works incidental to the works referred to in items 1 to 7 inclusive.