

HUNTER DISTRICT WATER, SEWERAGE AND
DRAINAGE (COAL MINING) AMENDMENT
ACT, 1979, No. 19

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 19, 1979.

An Act to amend the Hunter District Water, Sewerage and Drainage Act, 1938, with respect to certain disputes involving coal mining under, or in the vicinity of, certain dams.
[Assented to, 24th April, 1979.]

Hunter District Water, Sewerage and Drainage (Coal Mining) 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 District Water, Sewerage and Drainage (Coal Mining) Amendment Act, 1979".

Commencement. **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on the day on which Schedule 1 to the Coal Mining (Dams Safety) Amendment Act, 1979, commences.

Amendment of Act No. 11, 1938. **3.** The Hunter District Water, Sewerage and Drainage Act, 1938, is amended—

Sec. 55. (Catchment areas.)

- (a) (i) by omitting from section 55 (5) (b) the word "license" and by inserting instead the words "renewal of a lease, or any license or renewal of a license,";
- (ii) by inserting in section 55 (5) (b) after the word "or" where secondly occurring the words "any authorisation to mine for coal or renewal of such an authorisation, or any coal lease or renewal of a coal lease, under";
- (iii) by omitting from section 55 (5) the words "lease, permission" and by inserting instead the words "lease, authorisation, renewal, permission";

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(iv) by inserting after section 55 (5) the following subsection :—

(5A) Notwithstanding subsection (5), the board may not, under that subsection—

- (a) make representations relating to the safety of a dam that is a prescribed dam as defined in section 4 (1) of the Dams Safety Act, 1978; or
- (b) refer to the Minister a dispute concerning the safety of such a dam,

if the representations arise, or the dispute arises, from a proposal to grant under the Coal Mining Act, 1973, an authorisation to mine for coal or a coal lease or a renewal of such an authorisation or lease.

(v) by omitting from section 55 (6) the words “lease, permission” and by inserting instead the words “lease, authorisation, renewal, permission”;

(b) (i) by omitting from section 149 (1) the word “When” Sec. 149. and by inserting instead the words “Subject to (Settlement of disputes between the board and other public authorities.) subsection (6), when”;

(ii) by inserting after section 149 (5) the following subsection :—

(6) This section does not apply to or in respect of a dispute concerning the safety of a dam that is a prescribed dam as defined in section 4 (1) of the Dams Safety Act, 1978, if the dispute arises

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from a proposal to grant under the Coal Mining Act, 1973, an authorisation to mine for coal or a coal lease or a renewal of such an authorisation or lease.
