

**BROKEN HILL WATER AND SEWERAGE (COAL
MINING) AMENDMENT ACT, 1979, No. 20**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 20, 1979.

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

Broken Hill Water and Sewerage (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 "Broken Hill Water and Sewerage (Coal Mining) Amendment Act, 1979".

**Commence-
ment.** **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.
20, 1938.** **3.** The Broken Hill Water and Sewerage Act, 1938, is amended—

**Sec. 47.
(Catch-
ment
areas.)**

- (a) (i) by inserting in section 47 (4) (b) after the word "authority" the words ", or renewal of an authority,";
- (ii) by inserting in section 47 (4) (b) after the word "concession" the words ", or renewal of an authorisation or a concession,";
- (iii) by omitting from section 47 (4) the words "concession, permission" and by inserting instead the words "concession, renewal, permission";
- (iv) by inserting after section 47 (4) the following subsection :—

(4A) Notwithstanding subsection (4), 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

Broken Hill Water and Sewerage (Coal Mining) Amendment.

(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 47 (5) the words "concession, permission" and by inserting instead the words "concession, renewal, permission";

(b) (i) by omitting from section 140 (1) the word "When" and by inserting instead the words "Subject to subsection (6), when";

(ii) by inserting after section 140 (5) the following subsection :—

Sec. 140.
(Settlement
of disputes
between the
board and
other public
authorities.)

(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 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.
