

mechanical equipment, the acquisition and inundation of land (including easements) for those purposes, and the provision of any other works, roads, camps, villages, housing and services, and equipment incidental thereto and required in connection with the new power development.

PART II.

THERMAL POWER STATION.

Works connected with a new power development, being a thermal power station to be situated on the eastern shore of the River Tamar in the vicinity of George Town, including the construction of that power station, the purchase, construction, and installation of boilers, condensers, generating plant, transformers, and other hydraulic, mechanical, pumping and electrical equipment, fuel storage facilities and fuel handling plant, moorings, jetties, circulating water conduits and other facilities, the construction and laying of pipelines, the abstraction and return of water to the River Tamar, the acquisition of land (including easements) for those purposes, and the provision of any other works, camps, housing and services, and equipment incidental thereto and required in connection with the new power development.

HYDRO-ELECTRIC COMMISSION.

No. 31 of 1967.

AN ACT to amend the *Hydro-Electric Commission Act 1944* and to extinguish a highway.

[22 September 1967.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Hydro-Electric Commission Act 1967*. Short title and citation.

(2) The *Hydro-Electric Commission Act 1944*, as subsequently amended, is in this Act referred to as the Principal Act.

General powers of Commission.

2 Section fifteen of the Principal Act is amended by adding at the end thereof the following subsection:—

“(5) In the exercise of the powers under this Act the Commission—

- (a) is subject to the law relating to building as if it were an agent of the Crown; and
- (b) may blast rock or stone within the limits of a town without the permission of the surveyor.”.

3 After section forty-four of the Principal Act the following section is inserted:—

Powers of Commission in relation to generating works.

“44A. The Commission may for the purposes of this Act release water or permit the overflow of water from storages and works of the Commission and increase or decrease the flow of water from its works subject to making compensation in accordance with the provisions of the *Public Authorities' Land Acquisition Act 1949* for damage thereby done to any land.”.

Powers of Commission in relation to works for transmission and distribution of electricity.

4 Section forty-five of the Principal Act is amended by omitting subsection (4).

Duties of Commission in relation to works in certain cases.

5 Section forty-six of the Principal Act is amended by adding at the end thereof the following subsections:—

“(2) It shall be the duty of the Commission in relation to the works authorized by the *Hydro-Electric Commission (Power Development) Act 1967*—

- (a) in the works for the conservation of the waters of the Huon River to install a release valve with a capacity of not less than one hundred cusecs so that water conserved by the works may be let down the Huon River;
- (b) if required in writing by the Rivers and Water Supply Commission to release into the Huon River such water as the Commission and the Rivers and Water Supply Commission may agree and at such rate and at such times as may be agreed and in default of agreement the matter shall be referred to the Ministers for the respective Commissions and the Governor-in-Council, after consideration of the cases submitted on behalf of the two Commissions, may determine on what occasions and to what extent water shall be released and the distribution of the revenues, costs, and losses of so doing between the respective Commissions on an equitable basis;
- (c) if an owner or occupier of land on, or in the valley of, the Huon River suffers loss from an increase in the salinity of the waters of the Huon River

or of the underground waters affected by it because the river's flow has been diminished by works for the conservation of its waters or by their use or management, to make compensation for that loss in accordance with the *Public Authorities' Land Acquisition Act 1949*;

- (d) subject to subsection (3) of this section, not to cause the conserved waters of the Serpentine River to rise more than one thousand and twelve feet above sea level, or fall to less than one thousand and seven feet above sea level; and
- (e) along the edge of the lake to be formed by conserving the waters of the Serpentine River to remove vegetation and soil overlying sand in suitable places determined by the Commission and otherwise assist the formation of sandy beaches.

“(3) The Governor may, by order-in-council, authorize the Commission to permit the waters mentioned in paragraph (d) of subsection (2) of this section to fall to not less than one thousand and two feet above sea level.”

6 Section sixty-three of the Principal Act is amended— By-laws.

- (a) by inserting in subsection (1), after paragraph (ea), the following paragraph:—

“(eb) regulating or prohibiting the breeding, taking, keeping, or releasing of animals, the use of vehicles, the carrying or discharge of firearms, the lighting of fires, and the entry and conduct of persons on lands owned or occupied by the Commission for the works and purposes authorized by the *Hydro-Electric Commission (Power Development) Act 1967* and on the land described in the second schedule;”;

and

- (b) by inserting after subsection (3) the following subsections:—

“(3A) Before making any by-law under paragraph (eb) of subsection (1) the Commission shall consult with the Scenery Preservation Board and the Animals and Birds Protection Board.

“(3B) A by-law under paragraph (eb) of subsection (1) shall not—

- (a) prejudice or affect any permit, licence, or lease granted under the *Forestry Act 1920*, any rights under the *Florentine Valley Paper Industry Act 1935*, or any rights under the *Huon Valley Pulp and Paper Industry Act 1959*, but may subject any person acting under any such

permit, licence, lease, or rights to the by-law in all matters not necessary for so acting and in particular may require a permit to enter to be held by any such person, which permit the authority for granting it shall not unreasonably refuse; and

(b) affect entry by the road from Geeveston into the Hartz Mountains Scenic Reserve.”.

7 After section seventy-four of the Principal Act the following section is inserted:—

Injunction
to issue
against
Commission.

“74A For the purposes of section sixty-nine of the *Supreme Court Civil Procedure Act 1932* the Commission shall be deemed to be an agent for the Government of this State.”.

The first
schedule.

8 The schedule to the Principal Act is amended by inserting in the title, after the word “THE”, the word “FIRST”.

The second
schedule.

9 After the first schedule to the Principal Act the following schedule is inserted:—

“THE SECOND SCHEDULE.

(Section 63.)

LAND DISTRICTS OF ARTHUR, BUCKINGHAM, KENT, AND MONTGOMERY.
(1,600,000 acres or thereabouts.)

Commencing at a point on the high-water mark of the Southern Ocean at Low Rocky Point and bounded on the north-west by a north-easterly line to the intersection of the Gordon and Serpentine Rivers on the north by an easterly line to the summit of Mt. Meuller on the north-east by a south-easterly line to the intersection of the Huon and Weld Rivers again on the north-east by a south-easterly line to the trigonometrical station on Adamsons Peak on the south-east by a south-westerly line to a point on the high-water mark aforesaid at South Cape then by that high-water mark to Hilliard Head by a north-westerly line along Port Davey to North Head thence again by that high-water mark aforesaid to the point of commencement.”.

Extinguish-
ment of
highway.

10 The public right of passage over the land described in the schedule is extinguished together with any private right of passage over that land.

THE SCHEDULE.

(Section 10.)

That section of the public road one chain wide commencing to the west of Maydena in the Parish of Tyenna Land District of Buckingham at a line across the said road from Station II in Diagram of Survey 126 Folio 37 filed and registered in the office of the Surveyor-General and Secretary for Lands to the western corner of the 2 roods 32 4/10 perches as surveyed by William Bowden Martyr and extending in a westerly direction to Line 14-15 on Diagram of Survey 134 Folio 34 filed and registered in the office of the Surveyor-General and Secretary for Lands adjacent to the route of the Gordon River Road (as defined in the Commonwealth *Tasmania Grant (Gordon River Road) Act 1964-1967* of the Parliament of the Commonwealth).

11 After the thirtieth day of September 1968 the Principal Act shall be read and have effect as if— Expiry of certain provisions.

- (a) the words in paragraph (eb) of subsection (1) of section sixty-three, inserted by section six of this Act, “and on the land described in the second schedule”;
- (b) subsection (3B) of that section likewise inserted; and
- (c) the second schedule to the Principal Act inserted by section nine of this Act,

had not been so inserted.

WATER.

No. 32 of 1967.

AN ACT to amend the *Water Act 1957*.

[22 September 1967.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Water Act 1967*.

Short title and citation.

(2) The *Water Act 1957*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section ninety-six of the Principal Act is amended by Water levels. inserting in subsection (1), after the word “lake,” the words “permanently, occasionally, or temporarily, and”.