

Queensland



ANNO TRICESIMO TERTIO

ELIZABETHAE SECUNDAE REGINAE

No. 19 of 1984

**An Act to amend the Wivenhoe Dam and Hydro-electric
Works Act 1979 in certain particulars**

[ASSENTED TO 12TH MARCH, 1984]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Wivenhoe Dam and Hydro-electric Works Act Amendment Act 1984*.

(2) In this Act the *Wivenhoe Dam and Hydro-electric Works Act 1979* is referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Wivenhoe Dam and Hydro-electric Works Act 1979–1984*.

2. Amendment of s. 6. Construction of project. Section 6 of the Principal Act is amended by omitting subsection (2) and substituting the following subsections:—

“(2) Until works being part of the project are handed over and control therein relinquished to the Brisbane and Area Water Board the Co-ordinator-General shall be responsible for and have the duty of operating those works.

(3) The Co-ordinator-General may make such contracts and enter into such arrangements as he thinks fit with departments of government, statutory bodies or persons for the purpose of discharging the responsibilities referred to in subsections (1) and (2).

(4) A delegation by the Co-ordinator-General under section 37 or any contract or arrangement entered into by him under subsection (3) of or with respect to the responsibility and duty of operating works referred to in subsection (2) shall, while it subsists, be lawful authority for the delegate or, as the case may be, the party to the contract or arrangement who is thereby required to discharge that responsibility and duty and for the servants of that delegate or party to operate those works.”

3. Amendment of s. 13. Construction of project. Section 13 of the Principal Act is amended by omitting subsection (2) and substituting the following subsections:—

“(2) Until works being part of the project are handed over and control therein relinquished to The Queensland Electricity Generating Board the Co-ordinator-General shall be responsible for and have the duty of operating those works.

(3) The Co-ordinator-General may make such contracts and enter into such arrangements as he thinks fit with departments of government, statutory bodies or persons for the purpose of discharging the responsibilities referred to in subsections (1) and (2).”

4. Amendment of s. 32. Operational procedures for flood mitigation. Section 32 of the Principal Act is amended by—

(a) numbering the existing section as subsection (1);

(b) in subsection (1) as renumbered omitting the words “ manual of operational procedures in relation to to each reservoir ” and substituting the words “ combined manual of operational procedures in relation to the reservoir ”;

(c) inserting after subsection (1) as renumbered the following subsection:—

“(2) The manual of operational procedures may vest in any person mentioned therein and regulate the function of exercising a reasonable discretion in any matter as part of the flood mitigation procedures.”.

5. Amendment of s. 33. Approval and observance of flood manuals. Section 33 of the Principal Act is amended by—

(a) in the note appearing in and at the beginning of the section omitting the word “ manuals ” and substituting the word “ manual ”;

(b) in subsection (1) omitting the words “ A manual ” and substituting the words “ The manual ”;

(c) in subsection (2)—

(i) omitting the words “ a manual ” and substituting the words “ the manual ”;

(ii) omitting the words “ each reservoir ” and substituting the words “ the reservoirs ”.

6. Amendment of s. 34. Compliance with flood mitigation procedures avoids liability for damage. Section 34 of the Principal Act is amended in provision (a) by omitting the word “ reservoir ” and substituting the word “ reservoirs ”.

7. Amendment of s. 35. Liability for escape of water. Section 35 of the Principal Act is amended by inserting after the word “ servants ” the words “ or delegate ”.