

# DARLING RIVER WATERS ACT.

Act No. 27, 1945.

**George VI.** An Act to sanction and to provide for the construction of Weirs in the Barwon and Darling Rivers; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 22nd October, 1945.]  
**No. 27, 1945.**

**BE** it enacted by the King'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 "Darling River Waters Act, 1945".

**Work sanctioned.** 2. (1) (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.

(b) The said work shall be deemed to be an authorised work within the meaning of the Public Works Act, 1912, as amended by subsequent Acts.

(c) The Water Conservation and Irrigation Commission is empowered to carry out the said work, and shall be the constructing authority for the same within the meaning of the said Act as so amended, and shall

shall enter into such contracts and take all such necessary steps for the proper execution thereof as such authority may think proper. No. 27, 1945.

(d) The provisions of the Public Works Act, 1912, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the Public Works Act, 1912, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

**3.** The cost of carrying out the said work is estimated at four hundred and fifty thousand pounds and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum. Estimated cost.

**4.** It shall not be necessary for the constructing authority to make any provision for navigation in the construction of the said work and the constructing authority shall not make any such provision. No provision for navigation.

**5.** For the purposes of this Act, but not otherwise, the following amendments and additions shall be made in the Public Works Act, 1912, that is to say:— Amendment of Act No. 45, 1912.

(a) section ninety-eight is amended by inserting in subsection three before the words “public works” the words “authorised works or”; Sec. 98.

(b) section one hundred and twenty-six is amended by inserting at the end of subsection two the following proviso:— Sec. 126.

“Provided that such interest shall not be paid for any period during which delay in fixing the amount of compensation or in completing title has been caused without reasonable excuse by the act or default of the person to whom such compensation is payable.”

**No. 27, 1945.****SCHEDULE.****Sec. 2.**

The construction of weirs of the fixed crest type without provision for navigation in the Barwon and Darling Rivers between the 29th parallel of south latitude and the confluence of the Darling River with the Murray River, together with works incidental thereto, such weirs to be not less than thirty and not more than forty in number and to be so located as to provide, in so far as is practicable, a continuous series of weir pools throughout the full length of the said rivers.

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