

**GOGELDRIE WEIR AND MAIN DIVERSION CANALS
ACT.**

Act No. 44, 1957.

An Act to sanction and to provide for the construction of a weir in a bend of the Murrumbidgee River at Gogeldrie, two main diversion canals offtaking from near the weir to the north and south respectively, levee banks and works incidental thereto; to amend the Public Works Act, 1912, as amended by subsequent Acts, in certain respects; and for purposes connected therewith. [Assented to, 28th November, 1957.]

Elizabeth II,
No. 44, 1957.

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:—

1. This Act may be cited as the "Gogeldrie Weir and Main Diversion Canals Act, 1957".

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 enter into such contracts and take all such necessary steps for the proper execution thereof as such Authority may think proper.

(d)

No. 44, 1957.

(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.

The plan.

3. The plan of the said work is the plan marked "Proposed Diversion Works near Gogeldrie", sealed with the Seal of the Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission and catalogued No. 145/122.

Estimated cost.

4. The cost of carrying out the said work is estimated at two million pounds and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

Amendment of Act No. 45, 1912.

5. For the purposes of this Act, but not otherwise, the following amendments shall be made in the Public Works Act, 1912, as amended by subsequent Acts, that is to say:—

Sec. 98.

(a) section ninety-eight is amended by inserting in subsection three before the words "public works" the words "authorised works or";

Sec. 126.

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

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.

SCHEDULE.

SCHEDULE.

Sec. 2.

(1) The construction of—

- (a) a concrete and steel weir with steel control gates to be constructed in a bend of the Murrumbidgee River about 4½ miles south of Gogeldrie Railway Station, together with works incidental thereto and other works necessary for the diversion of a supply of water;
- (b) an earthen block dam in the Murrumbidgee River adjacent to the weir referred to in subparagraph (a);
- (c) a northern diversion canal approximately 15 miles long and a southern diversion canal approximately 10 miles long, both offtaking from near the weir referred to in subparagraph (a), both to be earthen canals with offtakes, regulators, bridges, flumes, subways and other associated subsidiary works necessary for the supply and distribution of water for irrigation, stock and domestic purposes;
- (d) flood protection levees consisting of earthen banks placed across natural depressions south of the Murrumbidgee River.

(2) The whole of the works hereinbefore described shall be subject to such modifications as may be deemed desirable by the Constructing Authority.
