

MOLLEE, GUNIDGERA AND WEETA WEIRS ACT.

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 56, 1972.

An Act to sanction and provide for the construction of three weirs in the Namoi River and works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith.
[Assented to, 31st October, 1972.]

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 "Mollee, Gunidgera and **short title**. Weeta Weirs Act, 1972".

2.

No. 56, 1972**2. (1) In this Act—****Interpreta-
tion and
plan.**

“Commission” means the Water Conservation and Irrigation Commission constituted under the Irrigation Act, 1912;

“scheduled works” means the works described in the Schedule to this Act, subject to such modifications and deviations as may be deemed necessary or desirable by the Commission.

(2) The sites of the various works comprising the scheduled works are shown on the plan marked “Namoi River, Proposed Mollee, Gunidgera and Weeta Weirs and Associated Works”, sealed with the seal of the Commission and deposited in the head office of the Commission and catalogued No. 46/596.

**Scheduled
works
sanctioned.**

3. (1) The carrying out of the scheduled works is hereby sanctioned.

(2) The Commission is empowered to carry out the scheduled works and for the purpose of so doing may do all such things, including entering into contracts, as it may consider necessary.

**Estimated
cost not to
be exceeded
by more
than 10 per
centum.**

4. The cost of carrying out the scheduled works, estimated at \$2,200,000, shall not be exceeded by more than 10 per centum.

**Application
of Public
Works Act,
1912.**

5. (1) The scheduled works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912 (in this section referred to as “the Act”).

(2)

Mollee, Gunidgera and Weeta Weirs.

(2) For the purpose of the scheduled works the No. 56, 1972 Commission shall be the Constructing Authority within the meaning of the Act.

(3) The provisions of the Act, other than sections 34, 35, 36 and 37 thereof, shall apply to and in respect of the scheduled works.

(4) Without prejudice to the generality of the other provisions of this section, the provisions of section 38 of the Act shall apply to and in respect of a contract made or to be made under section 3 (2).

6. For the purposes of this Act, the Public Works Act, 1912, is amended by inserting at the end of section 126 (2) the following proviso :—

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

Amendment of
Act No. 45,
1912.

Sec. 126.
(Compensa-
tion to be
paid
within one
month.)

SCHEDULE.

Sec. 2.

*Description of Works.***1. The construction of—**

- (a) a weir in the Namoi River about $\frac{1}{2}$ -mile downstream of the confluence of that river and Bohena Creek, with earthen embankments adjacent to and upstream of the weir;
- (b) a weir in the Namoi River about $\frac{1}{2}$ -mile downstream of the offtake of Gunidgera Creek, a regulator in Gunidgera Creek and the widening, deepening, straightening and clearing of about 7,000 feet of that creek;
- (c) a weir in the Namoi River about 12 miles downstream of Wee Waa; and

(d)

Mollee, Gunidgera and Weeta Weirs.

No. 56, 1972

(d) such roads as are necessary to gain access to the sites of the works specified in paragraphs (a), (b) and (c) of this item and to the borrow areas and quarries referred to in item 2 of this Schedule.

2. The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates.

3. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of the carrying out of any of the works referred to in items 1 and 2 of this Schedule.

POTATO