

**GWYDIR RIVER SYSTEM DISTRIBUTARY
WORKS ACT.**

New South Wales



ANNO VICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 22, 1974.

An Act to sanction and provide for the carrying out of certain works for the distribution of water throughout the Gwydir River system and the construction of works incidental thereto; to amend the Public Works Act, 1912; and for purposes connected therewith. [Assented to, 17th April, 1974.]

BE

Gwydir River System Distributary Works.

No. 22, 1974 **B**E 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:—

Short title. 1. This Act may be cited as the "Gwydir River System Distributary Works Act, 1974".

Interpretation. 2. (1) In this Act—

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

"scheduled works" means the works described in the Schedule, 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 "Gwydir Valley, Proposed Distributary and Associated Works Locality Plan", sealed with the seal of the Commission, deposited in the head office of the Commission and catalogued No. 36/1719.

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.

4.

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4. The cost of carrying out the scheduled works, estimated at \$6,300,000 shall not be exceeded by more than 10 per centum.

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

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").

Application of Public Works Act, 1912.

(2) For the purpose of the scheduled works, the 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, 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 :—

Amendment of Act No. 45, 1912.
Sec. 126.
(Compensation to be paid within one month.)

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.

SCHEDULE.

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SCHEDULE.

Sec. 2.

Description of Works.

1. Works for or associated with the distribution of the waters in the Gwydir River system, comprising—

- (a) the construction of a weir, regulator and associated works near the offtake of the Mehi River from the Gwydir River to regulate the flow of water from the Gwydir River to the Mehi River;
- (b) the construction of a weir, regulator and associated works near the offtake of Moomin Creek from the Mehi River to regulate the flow of water from the Mehi River to Moomin Creek;
- (c) the construction of a regulator and associated works near the offtake of Mallowa Creek from the Mehi River to regulate the flow of water from the Mehi River to Mallowa Creek;
- (d) the provision of works in or near the Gwydir River to regulate the flow of water from the Gwydir River to the Carole-Medgun-Gil Gil Creeks system; and
- (e) stream channel improvements—
 - (i) in the Mehi River downstream of the offtake of Mallowa Creek;
 - (ii) in Moomin Creek; and
 - (iii) in the Carole-Medgun-Gil Gil Creeks system.

2. The construction of roads of access to the works specified in item 1 and the borrow areas and quarries referred to in item 5.

3. The relocation and reconstruction of existing roads and the relocation and re-establishment of other existing services rendered necessary by the carrying out of any works referred to in items 1 and 2.

SCHEDULE

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SCHEDULE—*continued.*

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4. The construction or reconstruction of structures incidental to the works referred to in items 2 and 3.

5. The establishment of borrow areas for soil, sand and gravel and quarries for rock and aggregates required for carrying out the works referred to in items 1 to 4 inclusive and item 6.

6. Such works for the protection of the environment as may be deemed necessary or desirable by the Commission as a consequence of carrying out any of the works referred to in items 1 to 5 inclusive.

HAWKERS