

WARKWORTH FLOOD MITIGATION AND WATER CONSERVATION ACT.

Act No. 6, 1950.

George VI,
No. 6, 1950.

An Act to sanction and to provide for the construction of a dam across Wollombi Brook at Warkworth and works incidental thereto; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 24th March, 1950.]

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 "Warkworth Flood Mitigation and Water Conservation Act, 1950."

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

Warkworth Flood Mitigation and Water Conservation Act.

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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. No. 6, 1950.

(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 plan of the said work is the plan marked "Wollombi Brook Proposed Warkworth Dam," sealed with the Seal of the Water Conservation and Irrigation Commission, and deposited in the head office of the said Commission. The plan.

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

5. For the purposes of this Act, but not otherwise, the following amendments and additions shall be made in the Public Works Act, 1912, as amended by subsequent Acts, 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.

SCHEDULE.

Glen Innes to Inverell Railway Act.

No. 6, 1950.

SCHEDULE.

Sec. 2.

(1) The construction of:—

- (a) an earth dam across Wollombi Brook about two miles upstream from the township of Warkworth, of a height sufficient to store about 400,000 acre feet of water, with concrete spillway and outlets for regulation of the discharge of water from the storage, together with works incidental thereto;
- (b) road deviations and roads of access together with structures incidental thereto;
- (c) silt dams and weirs on Wollombi Brook and tributaries upstream of the storage to prevent siltation within the reservoir;
- (d) works necessary for the protection of the foreshores of the storage;

all for the combined purposes of flood mitigation and conservation of water.

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