



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2315.

An Act to provide for the construction of a bridge across the Gawler Reach of the Port Adelaide River.

[Assented to, 26th November, 1936.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the " Highways (Birkenhead Bridge) Act, 1936 ". Short titles.

(2) The Highways Acts, 1926 to 1936, and this Act may be cited as the " Highways Acts of 1926 to 1936 ".

(3) The Highways Act, 1926, is hereinafter referred to as " the principal Act ". No. 1769 of 1926.

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. The principal Act is amended by inserting therein after Part III. thereof the following Part :— Amendment of principal Act.

PART IIIA.

CONSTRUCTION OF BIRKENHEAD BRIDGE.

39A. (1) The Commissioner shall construct or cause to be constructed a bridge over and across the Gawler Reach of the Port Adelaide River, and may form and make, or Power to construct.

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cause to be formed and made, all necessary embankments, approaches, roads, piers, buildings, and other works necessary for the completion of the said bridge.

(2) The said bridge shall include a Bascule double leaf opening span to permit the passage of shipping.

(3) The said bridge and the approaches thereto shall be constructed at or near the site shown in the plan signed "D. V. Fleming, Commissioner of Highways," and deposited in the Land Office on the fifth day of November, nineteen hundred and thirty-six, and numbered No. 325.

(4) The said bridge and the other works mentioned in this section shall be constructed out of moneys to be provided by Parliament for the purpose.

Authority to obstruct navigation.

39B. (1) The Commissioner may for the purposes of carrying out any work authorised by this Part obstruct either temporarily or permanently any right of navigation.

(2) No claim of any kind shall lie or be brought against the Crown, the Commissioner, or any instrumentality of the Crown, by reason of any obstruction of any right of navigation by reason of the construction of the bridge or any other work authorised by this Part.

Maintenance of bridge.

39C. After the construction thereof, that part of the bridge and the approaches thereto constructed pursuant to this Part, which is situated between the boundaries delineated in red on the plan referred to in section 30A and therein marked "Harbours Board Boundary" and any road constructed over or upon any such part of the said bridge and approaches shall be vested in the Minister, and be under the care, control, and management of and maintained by the Commissioner, and all other parts of the said bridge and the approaches thereto, and any road constructed over or upon any such part of the said bridge and approaches shall be vested in and under the care, control, and management of and maintained by the Corporation of the City of Port Adelaide.

Regulations.

39D. The Governor, on the recommendation of the Commissioner, may make regulations regulating the time and conditions upon which the opening span of the bridge shall be opened for the passage of shipping, but no fees shall be charged for any such services for shipping.

Tenders.

39E. (1) The Commissioner may with the approval of the Minister call for tenders for the construction of the whole or any part of any of the works authorised to be constructed by this Part to be sent in within

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such time, to such place, and to be on and subject to such terms, conditions, and provisions as he deems advisable, and may accept or reject any tender.

(2) The Commissioner may construct any of the said works or any part thereof if no tender for the construction thereof is invited or accepted.

39F. (1) For the purposes of carrying out any work authorised by this Part, the Commissioner shall have and may exercise all the powers conferred upon him by this Act.

Application of other provisions of this Act.

(2) The said bridge and the works connected therewith shall be deemed to be a "work" within the meaning of section 7.

39G. In the construction of the works authorised by this part, the Commissioner shall not, except with the consent in writing of The South Australian Harbors Board, permanently obstruct or interfere with any means of communication to or railway lines serving any wharf or land of the said board.

Provision as to communication of Harbors Board.

4. Section 6 of the principal Act is amended by inserting after the penultimate line thereof the following passage :—

Consequential amendment of principal Act, s. 6.

PART IIIA.—Construction of Birkenhead Bridge.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.