

## KEEPIT DAM ACT.

Act No. 42, 1937.

George VI,  
No. 42, 1937.

An Act to sanction the construction of a dam across the Namoi River at Keepit and works incidental thereto, and of a diversion weir in the Namoi River near Boggabri; to amend the Public Works Act, 1912, in certain respects; and for purposes connected therewith. [Assented to, 23rd December, 1937.]

**B**E 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 "Keepit Dam Act, 1937."

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 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) 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)

(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. No. 42, 1937.

3. The plans of the said work are the plans respectively marked "Namoi River—plan showing position of proposed Keepit Dam" and "Namoi River—plan showing position of proposed diversion weir near Boggabri" each of which plans is sealed with the seal of the Water Conservation and Irrigation Commission, signed by the Commissioners constituting that Commission and deposited in the head office of the said Commission. The plans.

4. The cost of carrying out the said work is estimated at one million four hundred and sixty thousand pounds (Keepit Dam, one million three hundred and forty thousand pounds, diversion weir near Boggabri, one hundred and twenty 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, 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. 93.
- (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.

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Sec. 2.

## SCHEDULE.

*Keepit Dam and works incidental thereto.*

- (a) A concrete dam across the Namoi River about 7½ miles above the junction of the Namoi and Peel Rivers within the parishes of Keepit and Namoi, county of Darling, of a height sufficient to store about 345,334 acre feet of water, with spillway, gates and outlets for the discharge of water, including those required for hydro-electric purposes.
- (b) Access roads, including bridge over the Peel River, together with culverts, drains and works incidental thereto.
- (c) A concrete dam across a depression or saddle in portions 226 and 227, parish of Keepit, county of Darling, to a height sufficient to enable the storage provided by the dam referred to in (a) to be impounded.
- (d) Such roads being deviations of existing roads as are necessitated by the storage provided by the dams referred to in (a) and (c), including formations, culverts, drains and works incidental thereto.
- (e) A road bridge over the Namoi River at a site to be determined at or near the upstream end of the storage provided by the dams referred to in (a) and (c), together with connecting banks and formations, and to provide means of access to replace the present means of access between the northern and southern banks of the Namoi River.

*Boggabri Diversion Weir.*

A diversion weir in the Namoi River downstream of Boggabri and within the parish of Therribry in the county of Nandewar and the parish of Baan Baa in the county of Pottinger, and works incidental thereto.