

# RIVER MURRAY (DIVERSION) ACT.

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Act No. 24, 1934.

George V,  
No. 24, 1934.

An Act to authorise the construction of works for the diversion of the River Murray near Howlong by the Government of the State of Victoria; to amend the Public Works Act, 1912, and certain other Acts; and for purposes connected therewith. [Assented to, 9th November, 1934.]

**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.** (1) This Act may be cited as the "River Murray (Diversion) Act, 1933."

(2)

(2) This Act shall commence on a date to be appointed by the Governor and notified by proclamation published in the Gazette.

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2. (1) Subject to this Act, the Government of the State of Victoria is hereby authorised and empowered to construct works for the diversion of the course of the River Murray near Howlong through part of the land comprised in special lease number eight of one thousand nine hundred and six, Land District of Corowa, Parish of Howlong, County of Hume and State of New South Wales.

Authority to State of Victoria to construct diversion.

(2) The works may be constructed notwithstanding the provisions of the Public Works Act, 1912, or any other Act, and in respect thereof the Constructing Authority shall be the Victorian Country Roads Board which shall have all the powers of a Constructing Authority under the Public Works Act, 1912, as amended by subsequent Acts, and such works shall be deemed to be authorised works within the meaning of the Public Works Act, 1912, as so amended.

(3) The Governor may resume, acquire or appropriate subject to the provisions of the Public Works Act, 1912, as amended by subsequent Acts, any land required in New South Wales for or incidental to the works authorised by this Act, and for that purpose the Water Conservation and Irrigation Commission shall have all the powers of a Constructing Authority under the said Act.

(4) Upon completion of the works authorised by this Act they shall be handed over to the Water Conservation and Irrigation Commission which shall thereupon be charged with the maintenance thereof.

(5) The works shall not be constructed or any land resumed, acquired or appropriated in connection therewith until satisfactory arrangements have been made by the Governor with the Government of the State of Victoria whereby that Government shall indemnify the State of New South Wales against any claim or demand for compensation for land resumed, acquired or appropriated or for damage resulting from the construction of

the

**No. 24, 1934.** the works, and against any costs or expenses incurred by any authority of the State of New South Wales in the maintenance of any works constructed under the authority of this Act, and whereby any dispute or difference relating to the construction of the works may be submitted to arbitration in accordance with the Arbitration Act, 1902.

Appointment  
of engineer  
to represent  
New South  
Wales.

**3.** The Minister may by writing under his hand appoint some engineer or other person to collaborate with the authority undertaking on behalf of the Government of the State of Victoria the construction of the works; and to make such requirements on behalf of the Government of the State of New South Wales as appear necessary or expedient.

Works to be  
constructed  
at cost of  
Victoria.

**4.** All costs and expenditure incurred as a result of or incidental to the construction of the works authorised by this Act shall be borne by the Government of the State of Victoria.

Conditions  
and wages  
of persons  
employed.

**5.** Notwithstanding anything contained in any Act relating to industrial arbitration or in any award or agreement made thereunder or pursuant thereto, it shall be lawful for the Victorian Country Roads Board in the construction of the works authorised by this Act, to observe the same conditions and pay the same wages as would prevail if such work were being undertaken or performed in the State of Victoria.

No territory  
to be  
divested.

**6.** Nothing in this Act shall be construed nor shall anything done in pursuance thereof be deemed to effect or to have effected any divesting of territory from the State of New South Wales.