

PORT AUGUSTA TO RED HILL RAILWAY.

No. 77 of 1930.

An Act to provide for the Extension of the Trans-Australian Railway by the Construction of a Railway from Port Augusta to Red Hill in the State of South Australia.

[Assented to 23rd December, 1930.]

Preamble.

WHEREAS by the Constitution it is enacted that the Parliament may make laws for the peace, order and good government of the Commonwealth with respect to railway construction and extension in any State with the consent of that State :

AND WHEREAS by an Agreement made the eighteenth day of September One thousand nine hundred and twenty-five BETWEEN the Commonwealth of Australia of the one part and the State of South Australia of the other part it was among other things agreed that the Commonwealth should construct a railway in the said State from Port Augusta to Red Hill :

AND WHEREAS the said Agreement was, by the *Railways (South Australia) Agreement Act 1926*, approved by the Parliament of the Commonwealth :

AND WHEREAS the said Agreement was, by the *North-South Railway Agreement Act 1926* of the State of South Australia, (which Act commenced on the twenty-fifth day of February One thousand nine hundred and twenty-six) approved by the Parliament of the said State :

AND WHEREAS by the said Act of the State of South Australia that State consented to the construction and carrying out by the Commonwealth of the railways and railway works and operations which the Commonwealth by the said Agreement undertook to construct and carry out subject to the condition that, if the construction of the said railway from Port Augusta to Red Hill referred to in the said Agreement were not commenced by the Commonwealth within such period (being not less than three years from the date of the commencement of the said Act of the State of South Australia) as was

notified to the Prime Minister of the Commonwealth by the Premier of the said State within twelve months of the said commencement, the said consent should as regards the said Railway be null and void :

AND WHEREAS the Premier of the said State did not within twelve months of the said commencement notify any period as the period within which the construction and carrying out of the said Railway should be commenced :

AND WHEREAS by reason of the fact that the Premier of the said State did not within the said period of twelve months notify the said Prime Minister as aforesaid, doubts have arisen as to whether the consent of the said State to the construction of the said Railway by the Commonwealth is still in full force and effect, and it is expedient that those doubts be removed before the commencement of this Act :

AND WHEREAS it is desirable that the construction of the said Railway should be authorized by the Parliament :

BE it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Port Augusta to Red Hill Railway Act 1930*. Short title.

2.—(1.) This Act shall commence on a date to be fixed by Proclamation. Commencement.

(2.) A Proclamation under this section shall not issue until the Governor-General has, by notification published in the *Gazette*, declared that all doubts as to whether the consent of the State of South Australia to the construction of the Railway by the Commonwealth is in full force and effect have been removed.

3. In this Act, unless the contrary intention appears—

Definitions.

“ the Commissioner ” means the Commonwealth Railways Commissioner appointed under the *Commonwealth Railways Act 1917-1925* ;

“ the Railway ” means the Railway authorized by this Act ;

“ the Trans-Australian Railway ” means the Railway from Kalgoorlie to Port Augusta.

4. The Commissioner may, subject to this Act and to the *Commonwealth Railways Act 1917-1925*, extend the Trans-Australian Railway by the construction of a Railway from Port Augusta to Red Hill in the State of South Australia.

Power to construct Railway.

5. The maximum cost of the Railway, exclusive of rolling-stock, shall not exceed Seven hundred and thirty-five thousand pounds.

Cost of Railway.

6. The route of the Railway shall be as described in the Schedule to this Act, but the Commissioner may make such deviations, not exceeding one and a half miles on either side of the route, as are, in his opinion, necessary or reasonable for the better construction and working of the Railway.

Route of the Railway.

Gauge of line.

7. The gauge of the Railway shall be four feet eight and a half inches.

Appointment of officers, &c.

8. Notwithstanding anything contained in the *Commonwealth Railways Act 1917-1925*, the Commissioner may appoint all such persons as he thinks necessary for the purposes of the construction of the Railway or the working of the Railway before it has been declared open for traffic, and may authorize the employment of any persons for those purposes, and may pay to persons so appointed or employed such salaries or wages as he thinks fit.

Acquisition of land for purposes of Railway.

9. The provisions of section sixty-three of the *Commonwealth Railways Act 1917-1925* shall apply in relation to the acquisition of land for the purposes of the Railway but so that no person who is a lessee of lands from the Crown shall be entitled to compensation in respect of the resumption or use of any of such lands for the purposes of the Railway.

Wages and conditions of employment.

10.—(1.) In any contract relating to the construction of the Railway provision shall be made for the payment by the contractor of not less than the prescribed minimum rates of wages and for the observance of the prescribed conditions of employment and also for the recovery of penalties for non-payment of the prescribed rates of wages or for non-compliance with the prescribed conditions of employment.

(2.) In this section the prescribed minimum rates of wages and the prescribed conditions of employment mean the standard rates and conditions prescribed by any industrial authority of the Commonwealth, and, in the absence of any such standard rates and conditions applicable to the case, mean the standard rates paid, and the conditions of employment obtaining, in the locality in which the work is performed.

Appropriation of moneys.

11. All moneys necessary for the payment of the cost of construction of the Railway up to and including the time of the opening of the Railway for traffic shall be payable out of the Consolidated Revenue Fund or out of moneys standing to the credit of the Loan Fund, according to appropriations made by the Parliament for that purpose.

THE SCHEDULE.

The route begins at the Port Augusta Railway Station and follows the existing Port Augusta to Quorn Railway (3 ft. 6 in. gauge) bearing south-east for about 1 mile, thence due east as far as 4 miles 8 chains (near Stirling Railway Station).

At 4 miles 8 chains the route leaves the existing railway and runs in a generally south-easterly direction to 29 miles, thence due south to 38 miles, thence south-east to 48 miles passing the east of Port Germein at 42 miles, thence due south to 53 miles, thence south-west to 55 miles, thence a little west of south to 57 miles crossing the Port Pirie to Gladstone railway about 55½ miles from Port Augusta and at a point about 2 miles from Port Pirie.

From 57 miles the route runs generally in a south-easterly direction to Red Hill 82 miles 54 chains from Port Augusta, and distant 106 miles 52 chains from Adelaide by the Salisbury to Adelaide Railway (1960/3000 gauge).