

1923.
(SECOND SESSION)

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1° 24 July, 1923.

(Brought in by the Minister for Works and Railways, the Honorable
P. G. Stewart.)

A BILL

FOR

AN ACT

To provide for the Extension of the Railway in the Northern Territory by the construction of a Railway to Daly Waters.

BE it 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 *Northern Territory Railway Extension Act 1923*. Short title.
2. In this Act, unless the contrary intention appears— Definitions.
 - “the Commissioner” means the Commonwealth Railways Commissioner appointed under the *Commonwealth Railways Act 1917*;
 - “the Railway”, except when followed by the words “in the Northern Territory”, means the Railway authorized by this Act;
 - “the Railway in the Northern Territory.” means the Railway from Darwin to Emungalan, near the Katherine River.
3. The Commissioner may, subject to this Act, and to the *Commonwealth Railways Act 1917*, extend the Railway in the Northern Territory by the construction of a Railway from the southern terminus of the Railway in the Northern Territory to Power to construct the Railway.
 - 20 Waters.
4. The maximum cost of the Railway shall not exceed One Cost of Railway. million five hundred and forty-five thousand pounds.

Route of the
Railway.

5. 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 mile on either side of the route as are, in his opinion, necessary or reasonable for the better construction and working of the Railway.

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Gauge of line.

6. The gauge of the Railway shall be three feet six inches.

Appointment of
Officers, &c.

7. Notwithstanding anything contained in the *Commonwealth Railways Act 1917*, 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.

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Acquisition of
lands for
purposes of
Railway.

8. The provisions of section sixty-three of the *Commonwealth Railways Act 1917* shall apply in relation to the acquisition of land for the purposes of the Railway, notwithstanding the provisions of section eleven of the *Northern Territory (Administration) Act 1910*.

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Wages and
conditions of
employment.

9.—(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.

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(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.

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Appropriation
of moneys.

10. 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.

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1923.

Northern Territory Railway Extension.

No.

3

THE SCHEDULE.

Commencing at the southern terminus of the Railway in the Northern Territory distant one hundred and ninety-nine miles forty-five chains from Darwin ; thence in a south-easterly direction, crossing the Katherine River at two hundred miles thirty-three chains from Darwin ; thence bearing generally south-easterly, crossing the King River at two hundred and twenty-five miles sixty-one chains from Darwin, and crossing the Overland Telegraph Line at two hundred and forty-seven miles seventy-four chains from Darwin ; thence generally following the right bank of Roper River, bearing generally in a south easterly direction to a point distant two hundred and sixty five miles from Darwin and approximately one and a half miles distant from Mataranka Springs, thence in a southerly direction to approximately two hundred and seventy-seven miles forty chains from Darwin at which point the proposed railway crosses Elsey Creek, Warlock Ponds being situated about half a mile to the east, still bearing in a southerly direction the proposed railway crosses the Birdum Creek at about three hundred and thirteen miles forty chains and continuing the same bearing, terminates at a point three hundred and sixty miles from Darwin and about one mile from Daly Waters Telegraph Station.



THIS Bill originated in the House of Representatives ; and, having this day passed, is now ready for presentation to the Senate for its concurrence.

WALTER A. GALE,
Clerk of the House of Representatives.

House of Representatives,
Melbourne, 25th July, 1923.

A BILL

FOR

AN ACT

To provide for the Extension of the Railway in the Northern Territory by the construction of a Railway to Daly Waters.

BE it 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 *Northern Territory Railway* Short title.
5 *Extension Act 1923.*

2. In this Act, unless the contrary intention appears— Definitions.

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

10 “the Railway”, except when followed by the words “in the Northern Territory”, means the Railway authorized by this Act ;

15 “the Railway in the Northern Territory” means the Railway from Darwin to Emungalan, near the Katherine River.

3. The Commissioner may, subject to this Act, and to the Power to construct the Railway.
Commonwealth Railways Act 1917, extend the Railway in the Northern Territory by the construction of a Railway from the southern terminus of the Railway in the Northern Territory to Daly
20 Waters.

4. The maximum cost of the Railway shall not exceed One Cost of Railway.
million five hundred and forty-five thousand pounds.

[C.41]—300/25.7.1923.—F.9028.

5. The

Route of the Railway.

5. 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 mile on either side of the route as are, in his opinion, necessary or reasonable for the better construction and working of the Railway.

5

Gauge of line.

6. The gauge of the Railway shall be three feet six inches.

Appointment of Officers, &c.

7. Notwithstanding anything contained in the *Commonwealth Railways Act 1917*, 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 :

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Provided that where such salaries or wages are over Five hundred pounds per annum, the sanction of the Minister must be obtained.

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Acquisition of lands for purposes of Railway.

8. The provisions of section sixty-three of the *Commonwealth Railways Act 1917* shall apply in relation to the acquisition of land for the purposes of the Railway, notwithstanding the provisions of section eleven of the *Northern Territory (Administration) Act 1910* :

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Provided 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.

9.—(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.

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30

(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.

35

Appropriation of moneys.

10. 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.

40

THE SCHEDULE.

Commencing at the southern terminus of the Railway in the Northern Territory distant one hundred and ninety-nine miles forty-five chains from Darwin ; thence in a south-easterly direction, crossing the Katherine River at two hundred miles thirty-three chains from Darwin ; thence bearing generally south-easterly, crossing the King River at two hundred and twenty-five miles sixty-one chains from Darwin, and crossing the Overland Telegraph Line at two hundred and forty-seven miles seventy-four chains from Darwin ; thence generally following the right bank of Roper River, bearing generally in a south easterly direction to a point distant two hundred and sixty-five miles from Darwin and approximately one and a half miles distant from Mataranka Springs, thence in a southerly direction to approximately two hundred and seventy-seven miles forty chains from Darwin at which point the proposed railway crosses Eley Creek, Warlock Ponds being situated about half a mile to the east, still bearing in a southerly direction the proposed railway crosses the Birdum Creek at about three hundred and thirteen miles forty chains and continuing the same bearing, terminates at a point three hundred and sixty miles from Darwin and about one mile from Daly Waters Telegraph Station.



1923.
(SECOND SESSION)

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

NORTHERN TERRITORY RAILWAY EXTENSION BILL 1923.

*(Amendment to be proposed by the Minister for Works and Railways,
the Hon. P. G. Stewart.)*

Page 2, "clause 8, at the end of the clause insert the following proviso:—

“ Provided 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.”



1923.
(SECOND SESSION).

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

HOUSE OF REPRESENTATIVES.

NORTHERN TERRITORY RAILWAY EXTENSION BILL.

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE.

Page 2, clause 8, lines 17-20, leave out all words from and including, "The provisions of", to and including "*Northern Territory (Administration) Act 1910*", insert, "Notwithstanding the provisions of section eleven of the *Northern Territory (Administration) Act 1910*, the provisions of section sixty-three of the *Commonwealth Railways Act 1917* shall apply in relation to the acquisition of land for the purposes of the Railway as if after the words 'Crown Lands of' and after the words 'whether by' there were inserted the words, 'the Commonwealth or'".

3rd August, 1923.

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