

Act No. 23, 1908.

COOMA TO BOMBALA,
VIA NIMITYBELLE,
RAILWAY.

An Act to sanction the construction of a line of railway from Cooma to Bombala, via Nimitybelle; to authorise the construction of the said line on public roads; to amend the Public Works Act, 1900, so far as it relates to the making and maintaining of fences along the said line; to provide for the use of the said line by the Constructing Authority, or by persons authorised by him; and for other purposes consequent thereon or incidental thereto. [21st December, 1908.]

Preamble.

WHEREAS, in accordance with the provisions of the Public Works Act, 1900, the Legislative Assembly did, by resolution, declare that it was expedient to carry out a certain work, namely, the construction of a line of railway from Cooma to Bombala, viâ Nimitybelle: And whereas, on the passing of the said resolution, a statutory duty was by the said Act imposed on the Secretary for Public Works to introduce a Bill into the said Assembly to sanction the carrying out of the said work: Be it therefore 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 "Cooma to Bombala, viâ Nimitybelle, Railway Act, 1908."

Work sanctioned.

2. The carrying out the said work (more particularly described in the Schedule to this Act) is hereby sanctioned; and the Secretary for Public Works, or the member of the Executive Council for the time being performing the duties of the said Secretary, is hereby authorised to undertake and carry out the said work, subject to the provisions of this Act, and for that purpose shall be, and shall have the powers and duties of, Constructing Authority within the meaning of the Public Works Act, 1900.

Plan of work.

3. The plan of the said work is the plan marked "Cooma to Nimitybelle and Bombala Railway," signed by the Secretary for Public Works, and countersigned by the Chief Engineer for Railway and Tramway Construction, and deposited in the public office of the said Secretary.

4.

Cooma to Bombala, via Nimitybelle, Railway.

4. The cost of carrying out the said work, estimated at four hundred and ninety-six thousand one hundred pounds, shall be defrayed from such Loan Votes as are now or may hereafter be applicable to that purpose, or from appropriations of the Public Works Fund, or partly from such votes and partly from the said appropriations, and shall not under any circumstances exceed the estimated cost by more than ten per centum.

Cost, how to be defrayed.

5. The said line of railway may be constructed on any public road or highway.

Line may be constructed on road.

6. Notwithstanding the provisions of section eighty-four of the Public Works Act, 1900, the Constructing Authority shall not be required or compelled, nor shall it be the duty of the said Authority, to make and maintain any fence along the said line of railway for the accommodation of any person or for any purpose whatsoever; but the said authority may, in his discretion, make and maintain such fences in connection with the said line of railway as he may think fit.

Fencing not required along the line.

7. The Constructing Authority, and any persons authorised by him, may use the said line, or any part thereof, before it is transferred to the Chief Commissioner for Railways and Tramways, and for that purpose may run thereon any carriages or waggons propelled or drawn by any motive power.

Constructing Authority may use line.

SCHEDULE.

Cooma to Bombala, via Nimitybelle, Railway.

This is an extension of the Goulburn to Cooma railway, and commences at the southern end of Cooma station, at two hundred and sixty-four miles, forty-seven decimal five chains from Sydney; and proceeding thence in a south-east by south direction, following generally the main road to Rock Flat, and passing through the western portion of that town, it reaches and crosses Spring Creek, and continues in a due south course for about five miles; and heading Brick Kiln and Rock Flat Creeks, it takes an east-south-east direction to Nimitybelle; and after descending to and crossing MacLughlin River, near its confluence with Pigring Creek, it follows up the western bank of the latter to its source; thence a southerly course brings it to the head of Native Dog Creek, which it crosses, and traverses the slopes on its eastern side south-westerly for about twelve miles; one mile further on the main road from Cooma is reached; and after running along its western boundary for about a mile, a sharp turn to the west carries it across Bibbelduke Road, half a mile beyond which it takes an almost due south bearing to the western valley of the Bombala River, which is followed for about four miles to the terminus at Bombala, at three hundred and twenty-eight miles sixty-two chains from Sydney, being a total distance of sixty-four miles fourteen decimal five chains;—and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.