



ANNO DECIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1964

No. 48 of 1964

An Act to authorize alterations and deviations of the route of the railway between Port Pirie and Cockburn and for purposes incidental thereto or consequent thereupon.

[Assented to 30th October, 1964.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the "Port Pirie to Cockburn Short title.
Railway Deviation Act, 1964".
2. This Act is incorporated with the Acts mentioned in the Incorporation.
Schedule and with the South Australian Railways Commissioner's Act, 1936-1957.
3. In this Act—

Interpretation.

"the Commissioner" means the South Australian Railways Commissioner :

"the railways" means the railways between Port Pirie and about the 299th mile post on the boundary line between New South Wales and South Australia and between Terowie and Pichirichi which comprise the several lines of railway constructed pursuant to the several Acts mentioned in the Schedule (excluding the line of railway between section 216, hundred of Yongala and Pichirichi) :

“standard gauge” means a gauge of four feet, eight and one-half inches.

Authority to
alter route of
railways.

4. (1) The Commissioner may, when undertaking the conversion of the railways to standard gauge, or, in the case of so much thereof as lies between Terowie and Peterborough, conversion to a gauge of five feet three inches, alter the route of the railways and make such deviations, whether lateral or as to level, therefrom, as he deems expedient for obtaining easier gradients or better serving the public convenience and for that purpose and for the purpose of working and maintaining the railways as altered pursuant to this Act may construct and maintain the lines of railway as so altered or deviated and may construct and maintain all necessary and proper works and conveniences connected with or for the purposes of the said railways as altered pursuant to this Act.

(2) Before making any such alterations or deviations the Commissioner shall cause such alterations and deviations to be delineated in plans which shall be deposited in the office of the Surveyor-General at Adelaide and signed by the Commissioner and by the Chief Engineer for Railways.

(3) Nothing in this Act contained shall empower the Commissioner to alter any terminus of the railways.

Effect of
deviation.

5. When the railways are altered or deviated pursuant to section 4 of this Act, the railways with the alterations and deviations together with the line of railway between section 216, hundred of Yongala and Pichirichi shall be deemed to be the railways authorized by the Acts mentioned in the Schedule to this Act.

Power to
discontinue
part of
railway and
dispose of
materials
thereof.

6. When the railways are altered or deviated pursuant to this Act, for the purpose of carrying out the alterations or deviations authorized by this Act the Commissioner may—

- (a) discontinue the working of so much of the railways as lie between the points thereon marking the commencements and ends of the respective alterations or deviations ;
- (b) take up and remove or otherwise dispose of the parts of the railways the working of which is so discontinued or to be discontinued ; and
- (c) use any materials so taken up as he deems expedient or sell or otherwise dispose of such materials or any of them as he deems proper.

7. The provisions of Part IV of the South Australian Railways Commissioner's Act, 1936-1957, with the exception of section 55 thereof, shall apply in relation to any alterations deviations works and conveniences authorized by section 4 of this Act as if such alterations deviations works and conveniences were the construction making or maintenance of lines of railway.

Application of
South
Australian
Railways
Commissioner's
Act, 1936-1957.

8. The money required by the Commissioner for the purpose of making the alterations and deviations to the railways authorized by this Act shall be paid out of money provided by Parliament for the purpose.

Financial
provision.

THE SCHEDULE.

Act No. 8 of 1873 Port Pirie Railway Act, 1873.

Act No. 28 of 1876 being the Act intituled "An Act to provide for the formation of a Line of Railway from Gladstone to James Town".

Act No. 103 of 1878 being the Act intituled "An Act to authorize the construction of a Line of Railway from Terowie to Pichirichi *via* Yongala, Orroroo and Coonatta, with a branch from section 216, Hundred of Yongala, to James Town".

Act No. 328 of 1884 The Petersburg and Border Railway Act, 1884.

Act No. 377 of 1886 The Petersburg and Border Railway Amendment Act, 1886

Act No. 661 of 1896 The Railway Deviations Act, 1896.

In the name and on behalf of Her Majesty, I hereby
assent to this Bill.

EDRIC BASTYAN, Governor.