



DON RIVER TRAMWAY

No. 79 of 1974

ANALYSIS

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AN ACT to authorize a tramway undertaking at Devonport.

[5 December 1974]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as the *Don River Tramway Act 1974*.

Short title.

Interpretation.

2 In this Act, unless the contrary intention appears—

“Promoter” means the Van Diemen Light Railway Society Incorporated and its successors and assigns;

“Railways Clauses Act” means the *Railways Clauses Consolidation Act 1901*;

“tramway” means the tramway authorized by this Act.

Construction,
&c., of
tramway.

3 Subject to this Act the Promoter may construct, maintain, and work a tramway approximately 3·2 kilometres in length on the eastern side of the Don River commencing at a point on the North Western line of the Tasmanian Government Railway and ending near the old Devonport-Don road.

Application of
Railway Clauses
Consolidation
Act 1901.

4—(1) Subject to this section the Railways Clauses Act applies to the undertaking authorized by this Act and is accordingly incorporated therein.

(2) Nothing in Part IV of the Railways Clauses Act authorizes the Promoter to purchase or take any land otherwise than by agreement.

Requirements
as to
construction
of tramway.

5—(1) The tramway shall be of a mixed gauge of 610 millimetres and 1 067 millimetres.

(2) The track of the tramway constructed to a gauge of 610 millimetres shall—

(a) have no curve of less than 40 metres radius;

(b) have no grade steeper than 1 in 30; and

(c) be constructed of steel rails weighing not less than 10 kilograms per metre length.

(3) The track of the tramway constructed to a gauge of 1 067 millimetres shall—

(a) have no curve of less than 100 metres radius;

(b) have no grade steeper than 1 in 40; and

(c) be constructed of steel rails weighing not less than 24 kilograms per metre length.

(4) The axle-load on any vehicle passing along the track of the tramway shall not exceed—

(a) in the case of the track constructed to a gauge of 610 millimetres, 5·5 tonnes; and

(b) in the case of the track constructed to a gauge of 1 067 millimetres, 11 tonnes.

6—(1) In accordance with the Railways Clauses Act there is authorized to be leased to the Promoter an area of Crown land, not exceeding one chain in width, for the construction of the tramway, and such other Crown land as may be necessary to accommodate any works or facilities ancillary thereto. Lease of Crown lands.

(2) Any lease granted under this section shall be for a period not exceeding 21 years at a nominal rent.

(3) Any lease granted under this section shall contain a condition for the forfeiture thereof on the failure of the Promoter to commence, in good faith, the construction of the tramway within 12 months of the commencement of this Act or within such further period as the Minister may allow or to have the tramway open and fit for traffic within 24 months of that commencement or within such further period as the Minister may allow.

(4) Subject to the foregoing provisions of this section a lease granted thereunder shall be on such terms, and contain such covenants and conditions, as the Minister determines.