

An Act to authorize the construction and maintenance of a Tramway along and over certain streets in the Borough of Kiama. [14th April, 1883.]

Preamble.

WHEREAS large quantities of blue metal are being quarried at Pike's Hill and other places adjacent thereto in the Borough of Kiama And whereas for the purpose of facilitating the carriage of such blue metal from the said quarries to Robertson Basin for shipment the Borough Council of Kiama is desirous of constructing a single or double tramway for horse or steam traction along and over Terralong-street and other streets and a reserve in the said Borough of Kiama And whereas such tramway cannot be made without Legislative authority And whereas the increased facilities for traffic which would result from the construction of the said proposed tramway would be for the public benefit and it is desirable to authorize by Legislative enactment the construction of the said proposed tramway subject to the provisions hereafter contained Be it therefore enacted by the Queen'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 :—

Authority to construct tramway.

1. It shall be lawful for the said Borough Council of Kiama upon the terms and conditions and subject to the provisions hereinafter contained to make and construct a tramway for the carrying of blue metal from the quarries at Pike's Hill and other places in the Borough of Kiama along and over the streets and public reserve described in the Schedule hereto and to take and use so much of the said streets and reserve as may be required for the purposes of such tramway and the traffic thereon but so that the same shall not occupy in any part thereof a greater space in breadth than nine feet including the support and foundations thereof.

Levels of line.

2. The tramway where it traverses public thoroughfares shall be laid at about the general level of such thoroughfares and so that the rails shall not project above the surface thereof.

Tramways property of Borough Council.

3. The tramway and the material thereof shall not cease to be the property of the said Borough Council by reason of the same being laid as aforesaid.

Council and other authorized persons to have rights over streets.

4. The said Borough Council and all other persons duly authorized shall have all necessary rights over the streets and lands described in the Schedule to this Act as are required for the construction repair completion and use of the said tramway Provided that there shall be no interference with ordinary traffic beyond what is reasonable and necessary for such purpose.

Rate of carriage.

5. The tramway shall be for the use of persons engaged in the blue metal industry and for such other purposes as the Borough Council shall determine and for the use of the said tramway the Borough Council

Australian Gas-light Company.

Council shall be and are hereby empowered to charge a sum not exceeding ninepence per ton for each ton of blue metal or other material conveyed along or upon the said tramway.

6. It shall be lawful for the persons using the said tramway to employ horses or other motive power and carriages waggons or trucks to be drawn thereby and to carry upon the said tramway blue metal or other material subject to charges. To employ horses or other motive power. Provided that such charges shall be at all times levied equally on all persons and after the same rate in respect to all materials of the same description and no reduction or advance in any such charge shall be made either directly or indirectly in favour of or against any person using the said tramway.

7. The said charges shall be paid to such person or persons and at such place or places upon or near the said tramway and under such regulations as the said Borough Council shall appoint. Charges how paid.

8. It shall be lawful for the said Borough Council to make subject to the provisions of this Act regulations for the following purposes that is to say— Power to make regulations.

For regulating the despatch of waggons and trucks to and from the place of shipment and the loading and unloading thereof.

And generally for regulating the use and working of the said tramway and the maintenance of good order and the conduct of persons employed in or about the said tramway and providing for the management and protection thereof.

9. It shall be lawful for the said Borough Council to borrow a sum of money not exceeding five thousand pounds sterling for the making of the proposed tramway and for providing waggons or trucks and the amount may be raised by debentures or otherwise on the security of the revenue of the said Borough. Power to borrow.

10. This Act may be cited for all purposes as the “Kiama Tramway Act of 1883.” Short title.

SCHEDULE.

Names of streets over which it may be necessary to carry the proposed Tramway.

Barroul-street Manning-street Shoalhaven-street Collins-street Thompson-street Hother-sall-street Brown-street Hutchinson-street Dido-street Cuba-street Gipps-street Minumurra-street Terralong-street Bong Bong-street Noonnan-street and Barney-street.
