

No. 4978.

An Act to authorize the Construction by the Melbourne and Metropolitan Tramways Board of an Electric Tramway from South Melbourne to Melbourne.

[6th December, 1943.]

Preamble.
Nos. 3732 &c.

WHEREAS under the Melbourne and Metropolitan Tramways Acts a special construction scheme for the construction of the tramway hereinafter referred to has been prepared :

And whereas part of the route of the said tramway traverses Hanna-street in the city of South Melbourne :

No. 1112.
*Government
Gazette 19th
July, 1895,
page 2731.*

And whereas under the *Local Government Act 1890* portions of the said Hanna-street were by Order of the Governor in Council of the fifteenth day of July One thousand eight hundred and ninety-five declared to be tree reserves within the meaning of section four hundred and seventeen of the said Act and the council of the said city was authorized to take charge of and fence plant and cultivate the same :

And

And whereas it is expedient to authorize the Melbourne and Metropolitan Tramways Board to construct the said tramway and to make other provision as hereinafter enacted :

Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the *South Melbourne to Melbourne Tramway Construction Act 1943* and shall be read and construed as one with the *Melbourne and Metropolitan Tramways Act 1928* (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the Melbourne and Metropolitan Tramways Acts.

Short title
construction
and citation.

Nos. 3732, 3824,
3902, 3941,
4080, 4179,
4255, 4546,
4598, 4710,
4806, 4898.

2. The Board is hereby authorized under and subject to the Melbourne and Metropolitan Tramways Acts to construct the following electric tramway and all proper works and conveniences in connexion therewith, that is to say :—

Authority to
Board to
construct
tramway.

Comp. No. 4546
s. 2.

A double track electric tramway commencing at and joining with the existing tramway at the intersection of Sturt-street and Hanna-street, South Melbourne; thence north-westerly along Hanna-street to Queen's Bridge-street; thence northerly by the conversion of the existing cable tracks in Queen's Bridge-street, on Queen's Bridge, and north-westerly along Market-street to Little Flinders-street; thence a double track electric tramway south-westerly along Little Flinders-street and north-westerly along William street, joining with the existing electric tramway in William-street north of Collins-street, Melbourne.

3. The following provisions shall notwithstanding anything in the Principal Act apply with respect to and for the purposes of the construction of such tramway :—

Special
provisions as to
construction of
tramway in
Hanna-street
South
Melbourne.

Comp. No. 3243
s. 3.

(a) In such portions of Hanna-street in the city of South Melbourne as have been declared to be tree reserves as hereinbefore recited and are set apart as tramway reserves under the next succeeding paragraph, the tracks may be constructed of open ballast railway design and

provision

provision shall be made for all necessary cross thoroughfares.

- (b) The Governor in Council may direct that any portion (not exceeding twenty feet in width) of Hanna-street, including the hereinbefore recited tree reserves therein, shall be set apart as a tramway reserve and specify that the whole or any part of any such tramway reserve shall be used exclusively for tramway purposes.
- (c) In such portions of Hanna-street as have been declared to be tree reserves as hereinbefore recited the Board may remove any trees, and the cost of planting other trees in the said street in places approved by the council of the city of South Melbourne shall be borne and paid by the Board.
- (d) The cost and expense of the construction and maintenance of all tramways and erections constructed or erected by the Board on any such tramway reserve shall be borne and paid by the Board.
- (e) The provisions of sub-sections (6) and (8) of section forty-five of the Principal Act shall apply for the purposes of the foregoing provisions of this section.

No. 3732
s. 45.