

## Act No. 76, 1902.

GOVERNMENT  
RAILWAYS  
(FENCING).

An Act to consolidate the enactments amending section eighty-four of the Public Works Act, 1900, so far as it relates to the making and maintaining of fencing along certain lines of railway, and the enactments permitting the construction of certain lines of railway on, along, or by the side of public roads. [11th September, 1902.]

**B**E it 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 "Government Railways (Fencing) Act, 1902."

## Repeal.

2. The Acts mentioned in the First Schedule are to the extent therein expressed hereby repealed.

Interpretation.  
Cf. 26, 1900, s. 3.

3. In this Act "Constructing Authority" means the Constructing Authority as defined by the Public Works Act, 1900, and includes the Railway Commissioners appointed or continued in office by or under the Government Railways Act, 1901.

Fencing not required on certain lines.  
54 Vic. No. 2, s. 4.  
58 Vic. No. 17, s. 4.  
59 Vic. No. 1, s. 4.  
59 Vic. No. 4, s. 4.  
60 Vic. No. 8, s. 4.  
60 Vic. No. 26, s. 4.  
60 Vic. No. 31, s. 4.  
No. 12, 1897, s. 4.  
No. 35, 1899, s. 4.  
No. 37, 1899, s. 4.  
No. 11, 1900, s. 1.  
No. 12, 1900, s. 1.  
No. 13, 1900, s. 1.  
No. 43, 1900, s. 0.  
No. 64, 1900, s. 5.  
No. 85, 1900, s. 5.  
No. 50, 1901, s. 5.  
No. 72, 1901, s. 5.

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

Certain lines may be constructed along a road.  
59 Vic. No. 1, s. 5.  
60 Vic. No. 8, s. 5.  
60 Vic. No. 26, s. 5.  
60 Vic. No. 31, s. 5.  
No. 12, 1897, s. 5.  
No. 40, 1898, s. 5.  
No. 41, 1898, s. 5.  
No. 42, 1898, s. 5.  
No. 35, 1899, s. 5.  
No. 37, 1899, s. 5.  
No. 14, 1900, s. 5.  
No. 43, 1900, s. 7.  
No. 64, 1900, s. 6.  
No. 82, 1900, s. 6.  
No. 85, 1900, s. 6.  
No. 50, 1901, s. 6.  
No. 72, 1901, s. 6.

5. The lines of railway mentioned in the Third Schedule may be constructed on, or along, or by the side of any public road or highway.

SCHEDULES.

*Government Railways (Fencing).*

## SCHEDULES.

## FIRST SCHEDULE.

| Reference to Act. | Title.  | Extent of repeal. |
|-------------------|---|-------------------|
| 59 Vic. No. 4     | Parkes to Condobolin Railway Act, 1895 ... ..             | Section 4.        |
| 60 Vic. No. 8     | Nevertire to Warren Railway Act, 1896 ... ..              | Sections 4 and 5. |
| 60 Vic. No. 26    | Berrigan to Finley Railway Act, 1896 ... ..               | Sections 4 and 5. |
| 60 Vic. No. 31    | Tamworth to Manilla Railway Act, 1896 ... ..              | Sections 4 and 5. |
| No. 12, 1897...   | Moree to Inverell Railway Act, 1897... ..                 | Sections 4 and 5. |
| No. 40, 1898...   | The Rock to Green's Gonyah Railway Act, 1898 ... ..       | Section 5.        |
| No. 41, 1898...   | Koorawatha to Grenfell Railway Act, 1898 ... ..           | Section 5.        |
| No. 42, 1898...   | Byrock to Brewarrina Railway Act, 1898 ... ..             | Section 5.        |
| No. 35, 1899...   | Dubbo to Coonamble Railway Act, 1899 ... ..               | Sections 4 and 5. |
| No. 37, 1899...   | Goulburn to Crookwell Railway Act, 1899 ... ..            | Sections 4 and 5. |
| No. 11, 1900...   | Byrock to Brewarrina Railway (Amendment) Act, 1900        | The whole.        |
| No. 12, 1900...   | Koorawatha to Grenfell Railway (Amendment) Act, 1900.     | The whole.        |
| No. 13, 1900...   | The Rock to Green's Gonyah Railway (Amendment) Act, 1900. | The whole.        |
| No. 14, 1900...   | Casino to Lismore Railway Act, 1900 ... ..                | Section 5.        |
| No. 43, 1900...   | Gundagai to Tumut Railway Act, 1900 ... ..                | Sections 6 and 7. |
| No. 64, 1900...   | Narrabri Walgett and Collarendabri Railway Act, 1900      | Sections 5 and 6. |
| No. 82, 1900...   | Grafton to Casino Railway Act, 1900... ..                 | Section 6.        |
| No. 85, 1900...   | Culcairn to Germanton Railway Act, 1900 ... ..            | Sections 5 and 6. |
| No. 50, 1901...   | Temora to Wyalong Railway Act, 1901 ... ..                | Sections 5 and 6. |
| No. 72, 1901...   | Manilla to Barraba Railway Act, 1901 ... ..               | Sections 5 and 6. |

## SECOND SCHEDULE.

| Line of Railway.                       | Act authorising construction.   |
|--|---|
| Nyngan to Cobar ... ..                 | Nyngan to Cobar Railway Act of 1890.  |
| Narrabri to Moree ... ..               | Narrabri to Moree Railway Act, 1895.  |
| Jerilderie to Berrigan ... ..          | Jerilderie to Berrigan Railway Act, 1895.   |
| Parkes to Condobolin ... ..            | Parkes to Condobolin Railway Act, 1895.   |
| Nevertire to Warren ... ..             | Nevertire to Warren Railway Act, 1896.  |
| Berrigan to Finley ... ..              | Berrigan to Finley Railway Act, 1896.   |
| Tamworth to Manilla ... ..             | Tamworth to Manilla Railway Act, 1896.  |
| Moree to Inverell ... ..               | Moree to Inverell Railway Act, 1897.  |
| Dubbo to Coonamble ... ..              | Dubbo to Coonamble Railway Act, 1899.   |
| Goulburn to Crookwell ... ..           | Goulburn to Crookwell Railway Act, 1899.  |
| The Rock to Green's Gonyah             | The Rock to Green's Gonyah Railway Act, 1898, and The Rock to Green's Gonyah Railway (Amendment) Act, 1900. |
| Koorawatha to Grenfell ... ..          | Koorawatha to Grenfell Railway Act, 1898, and Koorawatha to Grenfell Railway (Amendment) Act, 1900.         |
| Byrock to Brewarrina ... ..            | Byrock to Brewarrina Railway Act, 1898, and Byrock to Brewarrina Railway (Amendment) Act, 1900.             |
| Gundagai to Tumut .. ..                | Gundagai to Tumut Railway Act, 1900.  |
| Narrabri to Walgett and Collarendabri. | Narrabri, Walgett, and Collarendabri Railway Act, 1900.   |
| Culcairn to Germanton ... ..           | Culcairn to Germanton Railway Act, 1900.  |
| Temora to Wyalong ... ..               | Temora to Wyalong Railway Act, 1901.  |
| Manilla to Barraba ... ..              | Manilla to Barraba Railway Act, 1901.   |

THIRD

## Act No. 77, 1902.

*Smoke Nuisance Abatement.*

## THIRD SCHEDULE.

| Line of Railway.                     | Act authorising construction.                          |
|--------------------------------------|--|
| Jerilderie to Berrigan ... ..        | Jerilderie to Berrigan Railway Act, 1895.              |
| Nevertire to Warren ... ..           | Nevertire to Warren Railway Act, 1896.                 |
| Berrigan to Finley ... ..            | Berrigan to Finley Railway Act, 1896.                  |
| Tamworth to Manilla ... ..           | Tamworth to Manilla Railway Act, 1896.                 |
| Moree to Inverell ... ..             | Moree to Inverell Railway Act, 1897.                   |
| The Rock to Green's Gunyah ... ..    | The Rock to Green's Gunyah Railway Act, 1898.          |
| Koorawatha to Grenfell ... ..        | Koorawatha to Grenfell Railway Act, 1898.              |
| Byrock to Brewarrina ... ..          | Byrock to Brewarrina Railway Act, 1898.                |
| Dubbo to Coonamble ... ..            | Dubbo to Coonamble Railway Act, 1899.                  |
| Goulburn to Crookwell ... ..         | Goulburn to Crookwell Railway Act, 1899.               |
| Casino to Lismore ... ..             | Casino to Lismore Railway Act, 1900.                   |
| Gundagai to Tumut ... ..             | Gundagai to Tumut Railway Act, 1900.                   |
| Narrabri to Walgett and Collarenebri | Narrabri, Walgett, and Collarenebri Railway Act, 1900. |
| Grafton to Casino ... ..             | Grafton to Casino Railway Act, 1900.                   |
| Culcairn to Germanton ... ..         | Culcairn to Germanton Railway Act, 1900.               |
| Temora to Wyalong ... ..             | Temora to Wyalong Railway Act, 1901.                   |
| Manilla to Barraba ... ..            | Manilla to Barraba Railway Act, 1901.                  |