



SUPPLEMENT  
TO THE  
**VICTORIA**  
**GOVERNMENT GAZETTE**  
OF FRIDAY, JULY 8, 1887.

Published by Authority.

No. 62.]

FRIDAY, JULY 8.

[1887.]

TRAMWAYS IN THE SHIRE OF MOORABBIN.

*At the Executive Council Chamber, Melbourne, the 7th day of July 1887.*

PRESENT:

His Excellency the Governor.

Mr. Gillies  
Mr. Nimmo

Mr. Walker  
Mr. Derham.

**WHEREAS** by *The Local Government Act Amendment Act 1883* it is provided that Tramways may be constructed in any Municipal District (except the Municipal Districts of Fitzroy, Collingwood, Prahran, Richmond, South Melbourne, Hotham, St. Kilda, Brunswick, Kew, Hawthorn, and Sandridge) when authorized by an Order of the Governor in Council made in that behalf, upon the application of the Council of the Municipality, in compliance with the provisions of the said Act and of the Rules and Regulations to be from time to time made by the Governor in Council: And whereas the Council of the Municipality of the

SHIRE OF MOORABBIN

has made an application under the Common Seal of the said Municipality, in accordance with the said Act and of the Rules and Regulations made by the Governor in Council thereunder, for an Order by the Governor in Council authorizing the construction of a Tramway in the Municipal District of the Municipality of the said Shire of Moorabbin: And whereas the Governor in Council being satisfied that the requirements of the said Act and of the Rules and Regulations made by the Governor in Council thereunder have been duly complied with by the said Council of the said Municipality, and that notice of the intention of the said Council to make the said application, in which notice the routes proposed to be followed were described, and persons objecting to the same were called on to lodge their objections within the time required by the Regulations, has been duly published as required by the Rules and Regulations made by the Governor in Council in pursuance of the said Act in that behalf, and that no objections to the said application have been lodged within the time provided in the said Rules, and being satisfied also that it is expedient and proper that the said application should be granted, has determined to grant the same subject to the restrictions and conditions hereinafter contained: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance of the provisions of the said Act, doth, for the purpose aforesaid, make the Order following, that is to say:—That the Council of the Municipality of the Shire of Moorabbin shall be and is hereby authorized to construct a Tramway in the Municipal District of the Shire of Moorabbin.

*Routes.*—That the routes of such Tramway shall be as follows:—

**Section A.**—From Cheltenham Railway Station to Rickett's Point: Commencing at the intersection of the Mordialloc Railway with Charman Road; thence south on that road 4,395 feet to its intersection with the Balcombe Road; thence by a curve 46 feet radius 69 feet; thence on that road 1,541 feet; thence by a curve of 50 feet radius 39 feet 3 inches; thence by a private road south 3,553 feet; thence by a curve of 200 feet radius 186 feet 9 inches; thence south 53° 30' west 573 feet; thence by a curve of 200 feet radius 186 feet 9 inches; thence south 603 feet; thence by a curve of 200 feet radius 128 feet; thence south 36° 41' west 570 feet; thence by a curve of 200 feet radius 186 feet; thence west 543 feet 6 inches; thence by a curve of 644 feet radius to the Beach Road 1,450 feet.

**Section B.**—Picnic Point to Rickett's Point: Commencing at the junction of Bay Road with Beach Road about three chains west of Picnic Point Railway Station; thence south-easterly on the southern side of the metalled road 13,550 feet to join Section A, at Rickett's Point, opposite Crown portion 43, parish of Moorabbin.

**Section C.**—From Mordialloc to Cromer Road: Commencing in the township of Mordialloc at the junction of the Beach Road with the western side of the main street (Point Nepean Road); thence on the Beach Road in a north-westerly direction to Cromer Road; thence by a curve of 100 feet radius 126 feet; thence through private land north 54° 19' west 255 feet; thence by curves of 100 feet radius westerly and northerly to join Section A from Cheltenham to Rickett's Point.

*Gauge.*—That the gauge of such Tramway shall be four feet eight inches (4 feet 8 inches), and that the said Tramway shall be constructed in the manner set out and described in the working plans and specifications numbered from one (1) to five (5) inclusive now deposited in the Public Works Department, and which plans and specifications are endorsed with a memorandum of the Honorable the Minister of Public Works identifying the said plans and specifications so deposited as the plans and specifications referred to in this Order, and which plans and specifications are to be deemed to be incorporated in this Order, and to be deemed to be as much part of the same as if they were set out in detail in this Order.

*Motive Power.*—That the motive power to be used upon the said Tramway shall be horses.

*Maximum Speed.*—That the maximum speed of the progression of the cars upon the said Tramway shall be ten (10) miles in the hour.

*Time of Completion.*—That the portion of the Tramway comprised within section A shall be completed and opened for traffic throughout its entire length within the period of six (6) months from the date of this Order. That the portion of the Tramway comprised within section B shall be completed and opened for traffic throughout its entire length within the period of twelve (12) months from the date of this Order. That the portion of the Tramway comprised within section C shall be completed and opened for traffic throughout its entire length within the period of three (3) years from the date of this Order.

July 8, 1887.

2054

*Passenger Traffic only.*—That such Tramway shall be used for passenger traffic only. Necessary precautions for safety of passengers and public to be observed. That every precaution necessary to secure the safety of the passengers upon the said Tramway, and also to secure the safety of passengers passing along the streets or roads upon the routes of such Tramway, shall be taken and ordered by the said Council of the said Municipality.

*Stoppages for Taking up and Setting down Passengers.*—That for the convenience of the public the cars shall stop for the purpose of taking up and setting down passengers at such points upon the several routes as may be convenient, and in such manner as not to interfere with or endanger the general traffic of the streets or roads or the safety of the passengers in the cars.

*Tolls and Charges.*—That the charges to be made for every passenger on the said Tramway may be but shall not exceed the following, that is to say, for each passenger—From Cheltenham Railway Station to Rickett's Point (Section A), or any lesser distance between—Sixpence. From Cheltenham Railway Station to Rickett's Point and back to Cheltenham Railway Station (Section A)—Return fare, Ninepence. From Picnic Point to Rickett's Point (Section B), or any lesser distance between—Sixpence. From Picnic Point to Rickett's Point and back to Picnic Point (Section B)—Return fare, Ninepence. From Mordialloc to Cromer Road, Rickett's Point (Section C), or any lesser distance between—Sixpence. From Mordialloc to Cromer Road, Rickett's Point, and back to Mordialloc (Section C)—Return fare, Ninepence; and *vice versa* on each section.

*Governor in Council to be sole judge of breach of Order.*—That the Governor in Council shall be the sole judge of the compliance with or of the breach of any of the requirements contained in this Order; and for the purpose of enabling the Governor in Council to arrive at a just decision, an enquiry into the facts of each case shall be conducted in the manner provided in clause 26 of the Regulations contained in the Second Schedule to the said Act, before an officer to be appointed in that behalf by the Governor in Council, as provided in the Regulations in the said Schedule.

If upon the report to the Governor in Council by the referee made under the said clause 26 of the Regulations in the Second Schedule of the said Act, the Governor in Council shall, as such sole judge, determine that there has been any failure of or compliance with or that any breach of any of the requirements contained in this Order has occurred, by way either of commission or omission, then the powers conferred by this Order shall be forfeited, or shall cease and determine, or shall be suspended, as the Governor in Council shall direct; and in the case of the Governor in Council ordering a suspension only of such powers, then the Governor in Council shall, in his adjudication, state for what period such suspension shall take effect.

If in such adjudication the Governor in Council shall determine that the powers conferred by this Order shall be forfeited, or shall wholly cease and determine, then the Council of the said Municipality of the Shire of Moorabbin shall forthwith proceed to restore the streets or roads along which the said route is laid out to their condition previous to the construction of such Tramway unless the Governor in Council otherwise order.

And the Honorable John Nimmo, Her Majesty's Commissioner of Public Works for Victoria, shall give the necessary directions herein accordingly.

ROB. WADSWORTH,  
Clerk of the Executive Council.