

No. 3541.

An Act to provide for the Re-opening of Portion of the Coburg and Somerton Railway situate between the Fawkner and Somerton Stations and for other purposes.

[21st December, 1927.]

**B**E it 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) :—

Short title.

1. This Act may be cited as the *Coburg and Somerton Railway Act 1927*.

2. In

2. In this Act unless inconsistent with the context or subject-matter— Interpretation.

“Coburg and Somerton Railway” means the railway constructed pursuant to the authority granted by sub-section (10) of section three of *The Railway Construction Act 1884*. “Coburg and Somerton Railway.”  
No. 821 s. 3(10)

“Commissioners” means The Victorian Railways Commissioners. “Commissioners.”

“Council” means the council of the shire of Broadmeadows. “Council.”

3. Subject to this Act the Commissioners may re-open for traffic that portion of the Coburg and Somerton Railway which is situate between the Fawkner and Somerton stations on the said line of railway and may do and suffer such acts matters or things as are necessary for that purpose. The Victorian Railways Commissioners authorized to re-open portion of the Coburg to Somerton Railway.

4. After the end of each year of the period of five years after the re-opening of the said portion of the said line of railway the council shall pay to the Commissioners a sum required and demanded by the Commissioners (but not exceeding One thousand five hundred pounds) as a contribution towards meeting any loss which after setting revenue against the interest charges, operating and maintenance expenses and rolling-stock replacement account and accident and fire insurance fund contributions results in that year from the re-opening and operation of the said portion of the said line of railway. Annual payment by council to Commissioners.

5. In respect of the said portion of the said line of railway there shall be a “Railway Betterment Rate District” which shall be the district set out in the Schedule to this Act. Provision for Railway betterment rate district Schedule.

6. (1) The council may without any other authority than this Act in and for each year of the said period of five years make and levy in respect of rateable property within the railway betterment rate district a rate to be called the Coburg and Somerton Railway Betterment Rate. Railway betterment rates.

(2) Every such rate—

(a) shall be paid by and recoverable from every owner of land which is rateable property within the railway betterment rate district; Comp. No. 2715 s. 49.

(b) shall

- (b) shall be fixed for each year at such amounts (not exceeding the sum of Fourpence for each one hundred square feet of area of land forming any rateable property in respect of which the rate is made) as will in the opinion of the council be sufficient to ensure the recovery of the full amount required for such year for the payment to the Commissioners of the contribution payable as hereinbefore provided and for the payment of the costs of surveyors' fees and the collection of rates keeping accounts thereof in books and other incidental expenses connected therewith; and
- (c) shall be made only for the purpose of making the said payments.

Application of rates.

(3) The moneys received in respect of such railway betterment rates shall be applicable only to the purposes for which such rates are authorized to be made.

Provision in case of surplus.

(4) If at the end of the period of five years hereinbefore mentioned the proceeds of the said railway betterment rates leave a surplus such surplus may be carried to the account of the municipal fund of the shire of Broadmeadows.

In case of a deficit.

(5) If at the end of the five years hereinbefore mentioned the proceeds of the said railway betterment rates have not proved sufficient to recoup the council for its expenditure under section four of this Act and this section and there remains a deficiency such deficiency may be paid out of the municipal fund of the shire of Broadmeadows.

Extension of provisions of Nos. 2715, 2844, 2891, and 2941.

(6) Every railway betterment rate shall subject to this Act be fixed made published levied and recovered in as nearly as may be the same manner as railway construction rates are fixed made published levied and recovered; and the provisions of the Railway Lands Acquisition Acts relating to railway construction rates shall so far as they are applicable with such alterations modifications and substitutions as are necessary extend and apply accordingly.

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## SCHEDULE.

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### RAILWAY BETTERMENT RATE DISTRICT.

Section 5.

All that area of land being parts of the Parishes of Will Will Rook, Wollert, and Yuroke in the County of Bourke, in the Campbellfield and Broadmeadows Ridings of the Shire of Broadmeadows, more particularly described hereunder:—

Commencing at a point at the south-western corner of Crown allotment 5, Parish of Will Will Rook; thence northerly along the western boundary of the said allotment to its north-western corner; thence in a straight line in a north-westerly direction through parts of the Parishes of Will Will Rook and Yuroke to the north-western corner of Crown allotment 7, Parish of Yuroke; thence in an easterly direction along the northern boundary of the said allotment to its north-eastern corner; thence southerly along the eastern boundary of the said allotment to the south-western corner of Crown allotment 15, Parish of Yuroke; thence easterly along the southern boundary of Crown allotment 15 to the Merri Creek; thence in a southerly and south-easterly direction along the said Merri Creek through parts of the Parishes of Wollert and Will Will Rook to the south-eastern corner of Crown allotment 4, Parish of Will Will Rook; thence westerly along the southern boundary of Crown allotments 4 and 5 Parish of Will Will Rook, to the point of commencement.

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