

Great Northern Railway Deviation (Singleton to Nundah) Act 1951 No 37

[1951-37]



New South Wales

Status Information

Currency of version

Repealed version for 5 December 1951 to 7 July 2011 (accessed 22 November 2024 at 23:10)

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2011 No 27](#) with effect from 8.7.2011.

Authorisation

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Great Northern Railway Deviation (Singleton to Nundah) Act 1951 No 37



New South Wales

An Act to authorise the construction of a deviation of the Great Northern Line between Singleton and Nundah; to amend the *Public Works Act 1912*, and certain other Acts in certain respects; and for purposes connected therewith.

1 Name of Act and commencement

- (1) This Act may be cited as the *Great Northern Railway Deviation (Singleton to Nundah) Act 1951*.
- (2) This Act shall be deemed to have commenced upon the ninth day of August, one thousand nine hundred and fifty.

2 Work authorised

The carrying out of the work described in the Schedule to this Act is hereby authorised and the said work shall be deemed to be an authorised work within the meaning of the *Public Works Act 1912*, as amended by subsequent Acts, but the provisions of sections thirty-four, thirty-five, thirty-six, thirty-seven and subsection three of section one hundred and twenty-six of the said Act, as so amended, shall not apply to the said work and the provisions of section thirty-eight of the said Act, as so amended, shall apply to any contracts for carrying out such work.

3 The plan

The plan of the said work is the plan marked "Department of Railways, N.S.W. Proposed Deviation Singleton to Nundah—Schedule Plan" signed by The Commissioner for Railways and countersigned by the Chief Civil Engineer of the Department of Railways, and deposited in the office of The Commissioner for Railways.

4 Estimated cost

The cost of carrying out the said work (exclusive of land resumption) is estimated at eight hundred thousand pounds and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

5 Railway constructed over roads etc

The said work may be constructed on, over, under, along or by the side of any road or highway, including a State highway or main road within the meaning of the *Main Roads Act 1924*, as amended by subsequent Acts: Provided that the construction of the said work on, over, under or along any such State highway or main road shall be for the sole purpose of allowing the said work to cross such State highway or main road.

6 Maintenance of roads etc

- (1) If the said work crosses any road or any State highway or main road within the meaning of the *Main Roads Act 1924*, as amended by subsequent Acts, on the level, The Commissioner for Railways as the Constructing Authority shall make such provision by way of approaches, protection or otherwise howsoever as he may deem to be requisite or expedient and upon the completion of the said work the maintenance of and any future paving, kerbing, guttering, roadmaking, draining and other construction work of a like or different nature in relation to such road, State highway or main road up to the sleeper ends on each side of the said work shall be undertaken, without any expense to The Commissioner for Railways, by the council or The Commissioner for Main Roads or other authority, as the case may be, which would have been responsible therefor if the said work had not been constructed, notwithstanding that such road, State highway or main road may have become or be wholly or partly vested in The Commissioner for Railways.
- (2) If the said work is carried over any road or any State highway or main road within the meaning of the *Main Roads Act 1924*, as amended by subsequent Acts, the maintenance of and any future paving, kerbing, guttering, roadmaking, draining and other construction work of a like or different nature in relation to such road, State highway or main road, excluding the bridge or structure or any part thereof by means of which the said work is carried over such road, State highway or main road, shall upon completion of the said work be undertaken, without any expense to The Commissioner for Railways, by the council or The Commissioner for Main Roads or other authority, as the case may be, which would have been responsible therefor if the said work had not been constructed, notwithstanding that such road, State highway or main road may have become or be wholly or partly vested in The Commissioner for Railways.
- (3) If the said work is carried under any road or any State highway or main road within the meaning of the *Main Roads Act 1924*, as amended by subsequent Acts, the maintenance of and any future paving, kerbing, guttering, roadmaking, draining and other construction work of a like or different nature in relation to the surface of the roadway on any bridge or structure over which such road, State highway or main road runs and the approaches thereto shall upon completion of the said work be undertaken, without any expense to The Commissioner for Railways, by the council or The Commissioner for Main Roads or other authority, as the case may be, which would

have been responsible therefor if the said work had not been constructed, notwithstanding that such bridge or structure or approaches is or are on land which may have become or is wholly or partly vested in The Commissioner for Railways.

- (4) If the said work is carried under any road or any State highway or main road within the meaning of the *Main Roads Act 1924*, as amended by subsequent Acts, the whole or any portion of any bridge or structure over which such road, State highway or main road runs or of any approach thereto which is not within the area of the land required for or for the purposes of the said work as a railway may be dedicated as a public road under the *Public Roads Act 1902*, as amended by subsequent Acts, or as a public highway under section eighty-one of the *Public Works Act 1912*, as amended by subsequent Acts.

Where the said work is carried under any such State highway or main road any such dedication of the whole or any portion of any bridge or structure over which such State highway or main road runs shall have the same effect as if the whole or such portion, as the case may be, of such bridge or structure had been proclaimed by the Governor as a State highway or main road under the *Main Roads Act 1924*, as amended by subsequent Acts.

Schedule

(Section 2)

A railway deviation within the parishes of Darlington and Auckland, County of Durham, such deviation commences on the northern side of the Hunter River, westerly of the Town of Singleton, at a point on the Great Northern Railway 149 miles 15 chains from Sydney and proceeds north-westerly and parallels that railway on its eastern side until crossing it at a point 151 miles 75 chains from Sydney and thence it proceeds in the same general direction passing about 10 chains westerly of the present railway station at Padulla to 153 miles from Sydney whence it trends more westerly for one mile and there it resumes its original general direction about 60 chains west of the Great Northern Railway which it rejoins 62 chains beyond the present Nundah Railway Station at 156 miles 34 chains from Sydney. Such deviation has a total distance of 7 miles 17 chains, and shall be subject to such deviations and modifications as may be considered desirable by the Constructing Authority.