

# Sutherland to Cronulla Railway Act 1936 No 39

[1936-39]



New South Wales

## Status Information

### Currency of version

Repealed version for 16 April 1940 to 7 July 2011 (accessed 28 November 2024 at 2:52)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

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The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2011 No 27](#) with effect from 8.7.2011.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

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# Sutherland to Cronulla Railway Act 1936 No 39



New South Wales

An Act to authorise the construction of a line of railway from Sutherland to Cronulla; and for purposes connected therewith.

## 1 Name of Act

This Act may be cited as the *Sutherland to Cronulla Railway Act 1936*.

## 2 Work authorised

The carrying out of the work described in the Schedule to this Act is hereby authorised, and the Commissioner for Railways is empowered to carry out the said work.

The provisions of the *Public Works Act 1912*, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six and thirty-seven excepted, shall apply to and in respect of the carrying out of the said work.

## 3 The plan

The plan of the said work is the plan marked "Department of Railways Sutherland to Cronulla 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 said Commissioner for Railways.

## 4 Cost

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

## 5 Construction of work in relation to roads

The said line of railway may be constructed on, over, under, along, or by the side of any road or highway, other than a State highway or main road as defined in the *Main Roads Act 1924*, as amended by subsequent Acts.

For the purpose only of crossing any such State highway or main road the said line of railway may be constructed on, over, or under such State highway or main road.

## 6 Maintenance of roads etc

- (1) If the said work crosses any road 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 the said road up to the sleeper ends on each side of the said work shall be undertaken by the local or other authority which would have been responsible therefor if the said work had not been constructed notwithstanding that such 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 the maintenance of the said road excluding the bridge or structure or any part thereof by means of which the said work is carried over the road shall upon the completion of the said work be undertaken by the local or other authority which would have been responsible therefor if the said work had not been constructed notwithstanding that such 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 the maintenance of the surface of the roadway on any bridge or structure over which the road runs and of the approaches thereto shall upon the completion of the said work be undertaken by the local or other authority which would have been responsible for the maintenance of the road if the said work had not been constructed notwithstanding that such bridge or structure or approaches is or are on land which has become or is wholly or partly vested in the Commissioner for Railways.
- (4) If the said work is carried under any road the whole or any portion of any bridge or structure over which the 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](#), or as a public highway under section eighty-one of the [Public Works Act 1912](#).

## 7 Amendment of Act No 45, 1912, s 151

For the purposes of this Act, but not otherwise, the [Public Works Act 1912](#), as amended by subsequent Acts, shall be amended as follows, that is to say:

- (a) by omitting from subsection one of section one hundred and fifty-one the words “before commencing such work”,
- (b) by omitting from subsection five of the same section the words “forty days before” and by inserting in lieu thereof the words “either before or at any time after”.

## Schedule

This proposed railway commences at the southern end of Sutherland Station, at a point about 15 miles 35 chains from Sydney, on the Illawarra Railway, and after crossing the Princes Highway proceeds in a generally easterly direction to the southern side of Miranda. It then crosses Kingsway on the northern

side of Caringbah and proceeds on the northern side of Kingsway and generally parallel thereto, to Woollooware Road, after crossing which it bears generally south-easterly, re-crosses Kingsway, passes the northern extremity of Gunnamatta Bay and continues in a more southerly direction to terminate at Waratah Street, at 21 miles 65 chains from Sydney, being a total length of about 6 miles 30 chains, and is subject to such deviations and modifications as may be considered desirable by the Constructing Authority.