

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 23 November, 1960.*

## New South Wales



ANNO NONO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No.           , 1960.**

An Act to make provision for the application of certain moneys paid to the State of New South Wales under the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth and for the granting of assistance to councils for the construction and maintenance of roads proclaimed as tourist roads; for these and other purposes to amend the Main Roads Act, 1924, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

BE



*Main Roads (Amendment).*

**B**E it enacted by the Queen'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 : —

1. (1) This Act may be cited as the "Main Roads (Amendment) Act, 1960". Short title and citation.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1960.

(3) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is amended by omitting subsection four of section one. Consequential.

2. (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 24, 1924.

(a) by omitting paragraph (e) of subsection one of section ten and by inserting in lieu thereof the following paragraph :— Sec. 10. (County of Cumberland Main Roads Fund.)

(e) twenty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

(b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection :— Sec. 12. (Use of fund.)

(1B) That part of the County of Cumberland Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (e) of subsection one of section ten of this Act shall be expended—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; (b)



*Main Roads (Amendment).*

- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- 5 (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

10 Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twenty-one of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the Country Main Roads Fund in respect of that year pursuant to paragraph (d) of subsection one of section twenty of this Act, does not

15 20 exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year firstmentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

- 25 (c) by omitting paragraph (d) of subsection one of section twenty and by inserting in lieu thereof the following paragraph :—
- 30 (d) eighty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July; (d)
- 35 40

Sec. 20.  
(Country  
Main Roads  
Fund.)



---

*Main Roads (Amendment).*

---

(d) by omitting subsection (1B) of section twenty-one Sec. 21.  
and by inserting in lieu thereof the following (Expen-  
subsection :— diture.)

5 (1B) That part of the Country Main Roads Fund  
which consists of moneys paid into that fund in  
respect of any year pursuant to paragraph (d) of  
subsection one of section twenty of this Act shall be  
expended—

- 10 (a) on the construction, reconstruction, mainten-  
ance and repair of roads or on the purchase  
of road-making plant;
- 15 (b) in making payments to municipal or other  
local authorities for the construction, recon-  
struction, maintenance and repair of roads or  
for the purchase of road-making plant; or
- (c) in making payments for or in connection with  
research relating to the construction, main-  
tenance or repair of roads :

20 Provided that out of the moneys so paid into that  
fund in respect of that year there may be expended  
on works connected with transport by road or water  
other than those referred to in paragraph (a), (b) or  
25 (c) of this subsection or of subsection (1B) of section  
twelve of this Act, or in subsection (2A) of section  
twenty-nine of this Act, an amount which, together  
with any amount expended under the proviso to  
the said subsection (1B) out of the moneys paid  
30 into the County of Cumberland Main Roads Fund  
in respect of that year pursuant to paragraph (e) of  
subsection one of section ten of this Act, does not  
exceed such part of one million pounds as bears  
to one million pounds the same proportion as  
35 the amounts payable under sections four and six of  
the Commonwealth Aid Roads Act 1959 of the  
Parliament of the Commonwealth to the State of  
New South Wales in respect of the year first-  
mentioned in this proviso bear to the total amount  
40 payable under the said sections four and six to all  
the States in respect of the year firstmentioned as  
aforesaid. (e)



---

*Main Roads (Amendment).*

---

(e) (i) by omitting paragraph (b) of subsection one of section twenty-nine and by inserting in lieu thereof the following paragraph :—

Sec. 29.  
(Develop-  
mental  
Roads  
Fund.)

5 (b) those moneys paid to the Commissioner  
out of the amount required to be  
expended under subsection two of section  
seven of the Commonwealth Aid Roads  
Act 1959 of the Parliament of the Com-  
monwealth from the moneys paid under  
10 that Act to the State by the Common-  
wealth of Australia in respect of any  
year commencing on the first day of  
July;

15 (ii) by omitting subsection (2A) of the same section  
and by inserting in lieu thereof the following  
subsection :—

20 (2A) That part of the Developmental Roads  
Fund which consists of moneys paid into that  
fund in respect of any year pursuant to  
paragraph (b) of subsection one of this section  
shall be expended—

25 (a) on the construction, reconstruction, main-  
tenance and repair of developmental  
roads in rural areas or on the purchase  
of road-making plant for use in connec-  
tion with such developmental roads; or

30 (b) in making payments to municipal and  
other local authorities for the construc-  
tion, reconstruction, maintenance and  
repair of developmental roads in rural  
areas or for the purchase of road-making  
plant for use in connection with such  
developmental roads.

(2) This section shall be deemed to have commenced  
35 upon the first day of July, one thousand nine hundred and  
fifty-nine.



*Main Roads (Amendment).*

3. The Main Roads Act, 1924, as amended by subsequent Acts, is further amended :—

Further amendment of Act No. 24, 1924.  
Sec. 2.  
(Division into Parts.)

(a) by inserting in section two next after the matter relating to Part VI the following new matter :—

5 PART VI B.—TOURIST ROADS—ss. 31A, 31B.

(b) (i) by omitting from the definition of "Maintenance" in subsection one of section three the words "or developmental" wherever occurring and by inserting in lieu thereof the words  
10 ", developmental, or tourist";

Sec. 3.  
(Interpretation.)

(ii) by inserting in the same subsection next after the definition of "State highway" the following new definition :—

15 "Tourist road" means road proclaimed as a tourist road under section 31A of this Act, and any part of any such road.

(iii) by omitting from the definition of "Permanent improvement" in the same subsection the words "or developmental" wherever occurring and by inserting in lieu thereof the words  
20 ", developmental, or tourist";

(iv) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

25 (2) Where—

(a) any road which passes through a public reserve and connects with a main road has, although the same is not a public road, been proclaimed to be a main road ; or  
30

(b) any road which is not a public road but is within a public reserve has been proclaimed as a tourist road,

then



*Main Roads (Amendment).*

then in the application of any provision of this Act to or in respect of any such road, unless the context or subject matter otherwise indicates or requires—

- 5 (i) a reference to the council shall be construed as a reference to the trustees of such public reserve; and
- (ii) a reference to the area of the council shall be construed as a reference to such public reserve.
- 10

(c) by inserting next before Part VII the following new Part :— New Part VI.B.

PART VI.B.

TOURIST ROADS.

15 31A. (1) The Governor may, on the recommendation of the Commissioner, proclaim as a tourist road any public road, or any road that is not, or any proposed road that will not be, a public road but is or will be within a public reserve, if, in the opinion of the Commissioner, such public road, road or proposed road will assist in making accessible areas or districts used or likely to be used by tourists. Proclamation of tourist roads.

20

(2) The Governor may, on the recommendation of the Commissioner, by proclamation amend or rescind any such proclamation.

25

31B. (1) (a) Where the Commissioner has decided that any work of construction or maintenance is necessary on a tourist road he may, except where authorised by the Governor to carry out the work, grant assistance to the council in whose area the tourist road is situated towards the carrying out of such work and may make an agreement with the council providing for the amounts to be paid by the Commissioner and the council respectively in respect of the carrying out of the work and for the work to be carried out by the council. Assistance towards construction or maintenance of tourist roads.

30

35

(b)



*Main Roads (Amendment).*

5 (b) The amount provided by the Commissioner in respect of the carrying out of the work shall not exceed one-half of the cost of the work or where in the special circumstances of the case the Commissioner agrees to pay more than one-half of the cost of the work, the amount agreed upon.

10 (c) Where any tourist road is not a public road but is within a public reserve the Commissioner may grant assistance to and make an agreement as aforesaid with the council within whose area the public reserve is situated or to or with any other council.

15 (2) Where an agreement is made under subsection one of this section the Commissioner shall pay the amount agreed to be paid by him from—

20 (a) the County of Cumberland Main Roads Fund, where the tourist road is situated within any area to which Part IV of this Act applies; and

(b) the Country Main Roads Fund, where the tourist road is situated within any area to which Part V of this Act applies,

25 to the council in whose area the tourist road is situated in trust to be expended on the said work in accordance with the agreement and the council shall account to the Commissioner therefor.

30 (3) The Governor may in any special case direct the work to be carried out by the Commissioner.

(4) All work entrusted to a council shall be carried out to the satisfaction of the Commissioner.

35 (d) by omitting from subsection one of section thirty-two the words "and developmental" and by inserting in lieu thereof the words "developmental, and tourist";

Sec. 32.  
(When board may do work itself.)

(e)



*Main Roads (Amendment).*

- (e) by omitting from subsection one of section thirty-three the words "and developmental" and by inserting in lieu thereof the words ", developmental, and tourist";

Sec. 33.  
(What works may be carried out.)
- 5 (f) by omitting from subsection one of section thirty-four the words "or developmental" and by inserting in lieu thereof the words ", developmental, or tourist";

Sec. 34.  
(Standard plans and specifications.)
- 10 (g) by omitting from subsection one of section thirty-six the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist";

Sec. 36.  
(Board given powers of council.)
- 15 (h) (i) by omitting from section 48A, as inserted by the Main Roads and Local Government (Amendment) Act, 1957, the word "section" and by inserting in lieu thereof the word "subsection";

Sec. 48A.  
(Annual payment to University of New South Wales.)

(ii) by inserting at the end of the same section the following new subsection :—

(2) There shall during the period of four years commencing on the first day of July, one thousand nine hundred and sixty, be paid by the Commissioner to the University of New South Wales an amount not exceeding two hundred thousand pounds for the acquisition or construction of buildings, or the acquisition of equipment, furnishings and fittings, necessary in connection with the carrying out of highway and traffic research.

Any payments under this subsection shall be made in equal proportions from the County of Cumberland Main Roads Fund and the Country Main Roads Fund and shall be made at such times and by such instalments as the Commissioner may determine.



---

*Main Roads (Amendment).*

---

4. (1) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is further amended—

Amend-  
ment of  
Act No. 37,  
1960.

5 (a) by omitting from paragraph (b) of section ten the word "forty-eight" and by inserting in lieu thereof the figures and letter "48A";

Sec. 10.  
(Amend-  
ment of  
Act No. 24,  
1924.)

(b) by omitting from the same paragraph the figures and letter "48A" and by inserting in lieu thereof the figures and letter "48B".

(2) This section shall be deemed to have commenced  
10 on the twenty-eighth day of April, one thousand nine hundred and sixty.

[1s.]



No. , 1960.

---

---

## A BILL

To make provision for the application of certain moneys paid to the State of New South Wales under the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth and for the granting of assistance to councils for the construction and maintenance of roads proclaimed as tourist roads; for these and other purposes to amend the Main Roads Act, 1924, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

[MR. HILLS;—18 October, 1960.]

---

---

BE



*Main Roads (Amendment).*

**B**E it enacted by the Queen'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 :—

1. (1) This Act may be cited as the "Main Roads (Amendment) Act, 1960". Short title and citation.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1960.

(3) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is amended by omitting subsection four of section one. Consequential.

2. (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 24, 1924.

(a) by omitting paragraph (e) of subsection one of section ten and by inserting in lieu thereof the following paragraph :— Sec. 10. (County of Cumberland Main Roads Fund.)

(e) twenty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

(b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection :— Sec. 12. (Use of fund.)

(1B) That part of the County of Cumberland Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (e) of subsection one of section ten of this Act shall be expended—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; (b)



*Main Roads (Amendment).*

(b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or

5 (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

10 Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twenty-one of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, 15 together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the Country Main Roads Fund in respect of that year pursuant to paragraph (d) of subsection one of section twenty of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year firstmentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

20 (c) by omitting paragraph (d) of subsection one of section twenty and by inserting in lieu thereof the following paragraph :— Sec. 20. (Country Main Roads Fund.)

25 (d) eighty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July; (d)

40



*Main Roads (Amendment).*

(d) by omitting subsection (1B) of section twenty-one and by inserting in lieu thereof the following subsection :—

Sec. 21.  
(Expenditure.)

5 (1B) That part of the Country Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (d) of subsection one of section twenty of this Act shall be expended—

10 (a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;

15 (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or

(c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

20 Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twelve of this Act, or in subsection (2A) of section 25 twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the County of Cumberland Main Roads Fund in respect of that year pursuant to paragraph (e) of subsection one of section ten of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of 35 New South Wales in respect of the year first-mentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as 40 aforesaid. (e)



*Main Roads (Amendment).*

(e) (i) by omitting paragraph (b) of subsection one of section twenty-nine and by inserting in lieu thereof the following paragraph :—

Sec. 29.  
(Develop-  
mental  
Roads  
Fund.)

5 (b) those moneys paid to the Commissioner out of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth from the moneys paid under that Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

10 (ii) by omitting subsection (2A) of the same section and by inserting in lieu thereof the following subsection :—

15 (2A) That part of the Developmental Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (b) of subsection one of this section shall be expended—

20 (a) on the construction, reconstruction, maintenance and repair of developmental roads in rural areas or on the purchase of road-making plant for use in connection with such developmental roads; or

25 (b) in making payments to municipal and other local authorities for the construction, reconstruction, maintenance and repair of developmental roads in rural areas or for the purchase of road-making plant for use in connection with such developmental roads.

30 (2) This section shall be deemed to have commenced upon the first day of July, one thousand nine hundred and fifty-nine.



*Main Roads (Amendment).*

3. The Main Roads Act, 1924, as amended by subsequent Acts, is further amended :—

Further amendment of Act No. 24, 1924.

(a) by inserting in section two next after the matter relating to Part VI the following new matter :—

Sec. 2. (Division into Parts.)

5 PART VI B.—TOURIST ROADS—SS. 31A, 31B.

(b) (i) by omitting from the definition of "Maintenance" in subsection one of section three the words "or developmental" wherever occurring and by inserting in lieu thereof the words

Sec. 3. (Interpretation.)

10

10 (ii) by inserting in the same subsection next after the definition of "State highway" the following new definition :—

15

"Tourist road" means road proclaimed as a tourist road under section 31A of this Act, and any part of any such road.

20

(iii) by omitting from the definition of "Permanent improvement" in the same subsection the words "or developmental" wherever occurring and by inserting in lieu thereof the words

25

(iv) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) Where—

30

(a) any road which passes through a public reserve and connects with a main road has, although the same is not a public road, been proclaimed to be a main road; or

(b) any road which is not a public road but is within a public reserve has been proclaimed as a tourist road,

then



*Main Roads (Amendment).*

then in the application of any provision of this Act to or in respect of any such road, unless the context or subject matter otherwise indicates or requires—

- 5 (i) a reference to the council shall be construed as a reference to the trustees of such public reserve; and
- (ii) a reference to the area of the council shall be construed as a reference to such public reserve.

(c) by inserting next before Part VII the following new Part :— New Part VI.B.

**PART VI.B.**

**TOURIST ROADS.**

15 31A. (1) The Governor may, on the recommendation of the Commissioner, proclaim as a tourist road any public road, or any road that is not, or any proposed road that will not be, a public road but is or will be within a public reserve, if, in the opinion of the Commissioner, such public road, road or proposed road will assist in making accessible areas or districts used or likely to be used by tourists. Proclamation of tourist roads.

20 (2) The Governor may, on the recommendation of the Commissioner, by proclamation amend or rescind any such proclamation.

25 31B. (1) (a) Where the Commissioner has decided that any work of construction or maintenance is necessary on a tourist road he may, except where authorised by the Governor to carry out the work, grant assistance to the council in whose area the tourist road is situated towards the carrying out of such work and may make an agreement with the council providing for the amounts to be paid by the Commissioner and the council respectively in respect of the carrying out of the work and for the work to be carried out by the council. Assistance towards construction or maintenance of tourist roads.

(b)



*Main Roads (Amendment).*

5 (b) The amount provided by the Commissioner in respect of the carrying out of the work shall not exceed one-half of the cost of the work or where in the special circumstances of the case the Commissioner agrees to pay more than one-half of the cost of the work, the amount agreed upon.

10 (c) Where any tourist road is not a public road but is within a public reserve the Commissioner may grant assistance to and make an agreement as aforesaid with the council within whose area the public reserve is situated or to or with any other council.

15 (2) Where an agreement is made under subsection one of this section the Commissioner shall pay the amount agreed to be paid by him from—

20 (a) the County of Cumberland Main Roads Fund, where the tourist road is situated within any area to which Part IV of this Act applies; and

(b) the Country Main Roads Fund, where the tourist road is situated within any area to which Part V of this Act applies,

25 to the council in whose area the tourist road is situated in trust to be expended on the said work in accordance with the agreement and the council shall account to the Commissioner therefor.

30 (3) The Governor may in any special case direct the work to be carried out by the Commissioner.

(4) All work entrusted to a council shall be carried out to the satisfaction of the Commissioner.

35 (d) by omitting from subsection one of section thirty-two the words "and developmental" and by inserting in lieu thereof the words "developmental, and tourist";

(e)

Sec. 32.  
(When board may do work itself.)



*Main Roads (Amendment).*

- (e) by omitting from subsection one of section thirty-three the words "and developmental" and by inserting in lieu thereof the words ", developmental, and tourist"; Sec. 33. (What works may be carried out.)
- 5 (f) by omitting from subsection one of section thirty-four the words "or developmental" and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 34. (Standard plans and specifications.)
- 10 (g) by omitting from subsection one of section thirty-six the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 36. (Board given powers of council.)
- 15 (h) (i) by omitting from section 48A, as inserted by the Main Roads and Local Government (Amendment) Act, 1957, the word "section" and by inserting in lieu thereof the word "subsection"; Sec. 48A. (Annual payment to University of New South Wales.)
- (ii) by inserting at the end of the same section the following new subsection :—
- 20 (2) There shall during the period of four years commencing on the first day of July, one thousand nine hundred and sixty, be paid by the Commissioner to the University of New South Wales an amount not exceeding two hundred
- 25 thousand pounds for the acquisition or construction of buildings, or the acquisition of equipment, furnishings and fittings, necessary in connection with the carrying out of highway and traffic research.
- 30 Any payments under this subsection shall be made in equal proportions from the County of Cumberland Main Roads Fund and the Country Main Roads Fund and shall be made at such times and by such instalments as the Commissioner may determine.



---

*Main Roads (Amendment).*

---

4. (1) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is further amended—

Amend-  
ment of  
Act No. 37,  
1960.

5 (a) by omitting from paragraph (b) of section ten the word "forty-eight" and by inserting in lieu thereof the figures and letter "48A";

Sec. 10.  
(Amend-  
ment of  
Act No. 24,  
1924.)

(b) by omitting from the same paragraph the figures and letter "48A" and by inserting in lieu thereof the figures and letter "48B".

(2) This section shall be deemed to have commenced 10 on the twenty-eighth day of April, one thousand nine hundred and sixty.



## MAIN ROADS (AMENDMENT) BILL, 1960.

---

### EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to make provision for the application of the moneys received by the Commissioner for Main Roads pursuant to the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth;
- (b) to make provision for the proclamation of tourist roads and for the granting of assistance to councils in respect of the construction or maintenance of tourist roads;
- (c) to make provision for the payment by the Commissioner of the sum of £200,000 to the University of New South Wales for the construction or acquisition of buildings and for the acquisition of equipment, furnishings and fittings necessary in connection with the carrying out of highway and traffic research;
- (d) to make other provisions of a minor or ancillary nature.



# MAIN ROADS (AMENDMENT) BILL, 1960

## EXPLANATORY NOTE

The Bill amends the Main Roads Act, 1953, in relation to the powers of the State Government in respect of the main roads in the State. The Bill provides for the extension of the powers of the State Government to include the main roads in the State which are not included in the Schedule to the Main Roads Act, 1953. It also provides for the extension of the powers of the State Government to include the main roads in the State which are not included in the Schedule to the Main Roads Act, 1953. It also provides for the extension of the powers of the State Government to include the main roads in the State which are not included in the Schedule to the Main Roads Act, 1953.



PROOF

No. , 1960.

---

## A BILL

To make provision for the application of certain moneys paid to the State of New South Wales under the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth and for the granting of assistance to councils for the construction and maintenance of roads proclaimed as tourist roads; for these and other purposes to amend the Main Roads Act, 1924, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

[Mr. HILLS;—18 *October*, 1960.]

---

BE



*Main Roads (Amendment).*

**B**E it enacted by the Queen'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 :—

1. (1) This Act may be cited as the "Main Roads (Amendment) Act, 1960". Short title and citation.

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1960.

(3) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is amended by omitting subsection four of section one. Consequential.

2. (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended— Amendment of Act No. 24, 1924.

(a) by omitting paragraph (e) of subsection one of section ten and by inserting in lieu thereof the following paragraph :— Sec. 10. (County of Cumberland Main Roads Fund.)

(e) twenty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

(b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection :— Sec. 12. (Use of fund.)

(1B) That part of the County of Cumberland Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (e) of subsection one of section ten of this Act shall be expended—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; (b)



*Main Roads (Amendment).*

- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- 5 (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

10 Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twenty-one of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which,

15 together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the Country Main Roads Fund in respect of that year pursuant to paragraph (d) of subsection one of section twenty of this Act, does not

20 exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New

25 South Wales in respect of the year firstmentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

- 30 (c) by omitting paragraph (d) of subsection one of section twenty and by inserting in lieu thereof the following paragraph :—
- (d) eighty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July; (d)
- 35
- 40

Sec. 20.  
(Country  
Main Roads  
Fund.)



---

*Main Roads (Amendment).*

---

(d) by omitting subsection (1B) of section twenty-one Sec. 21.  
and by inserting in lieu thereof the following (Expen-  
subsection :— diture.)

5 (1B) That part of the Country Main Roads Fund  
which consists of moneys paid into that fund in  
respect of any year pursuant to paragraph (d) of  
subsection one of section twenty of this Act shall be  
expended—

10 (a) on the construction, reconstruction, mainten-  
ance and repair of roads or on the purchase  
of road-making plant;

15 (b) in making payments to municipal or other  
local authorities for the construction, recon-  
struction, maintenance and repair of roads or  
for the purchase of road-making plant; or

(c) in making payments for or in connection with  
research relating to the construction, main-  
tenance or repair of roads :

20 Provided that out of the moneys so paid into that  
fund in respect of that year there may be expended  
on works connected with transport by road or water  
other than those referred to in paragraph (a), (b) or  
25 (c) of this subsection or of subsection (1B) of section  
twelve of this Act, or in subsection (2A) of section  
twenty-nine of this Act, an amount which, together  
with any amount expended under the proviso to  
the said subsection (1B) out of the moneys paid  
30 into the County of Cumberland Main Roads Fund  
in respect of that year pursuant to paragraph (e) of  
subsection one of section ten of this Act, does not  
exceed such part of one million pounds as bears  
to one million pounds the same proportion as  
35 the amounts payable under sections four and six of  
the Commonwealth Aid Roads Act 1959 of the  
Parliament of the Commonwealth to the State of  
New South Wales in respect of the year first-  
mentioned in this proviso bear to the total amount  
40 payable under the said sections four and six to all  
the States in respect of the year firstmentioned as  
aforesaid. (e)



*Main Roads (Amendment).*

(e) (i) by omitting paragraph (b) of subsection one of section twenty-nine and by inserting in lieu thereof the following paragraph :—

Sec. 29.  
(Develop-  
mental  
Roads  
Fund.)

5 (b) those moneys paid to the Commissioner  
out of the amount required to be  
expended under subsection two of section  
seven of the Commonwealth Aid Roads  
Act 1959 of the Parliament of the Com-  
monwealth from the moneys paid under  
10 that Act to the State by the Common-  
wealth of Australia in respect of any  
year commencing on the first day of  
July;

15 (ii) by omitting subsection (2A) of the same section  
and by inserting in lieu thereof the following  
subsection :—

20 (2A) That part of the Developmental Roads  
Fund which consists of moneys paid into that  
fund in respect of any year pursuant to  
paragraph (b) of subsection one of this section  
shall be expended—

25 (a) on the construction, reconstruction, main-  
tenance and repair of developmental  
roads in rural areas or on the purchase  
of road-making plant for use in connec-  
tion with such developmental roads; or

30 (b) in making payments to municipal and  
other local authorities for the construc-  
tion, reconstruction, maintenance and  
repair of developmental roads in rural  
areas or for the purchase of road-making  
plant for use in connection with such  
developmental roads.

(2) This section shall be deemed to have commenced  
35 upon the first day of July, one thousand nine hundred and  
fifty-nine.



*Main Roads (Amendment).*

3. The Main Roads Act, 1924, as amended by subsequent Acts, is further amended :—

Further amend-  
ment of  
Act No. 24,  
1924.

(a) by inserting in section two next after the matter relating to Part VI the following new matter :—

Sec. 2.  
(Division  
into Parts.)

5 PART VI B.—TOURIST ROADS—*ss.* 31A, 31B.

(b) (i) by omitting from the definition of "Maintenance" in subsection one of section three the words "or developmental" wherever occurring and by inserting in lieu thereof the words  
10 ", developmental, or tourist";

Sec. 3.  
(Interpre-  
tation.)

(ii) by inserting in the same subsection next after the definition of "State highway" the following new definition :—

15 "Tourist road" means road proclaimed as a tourist road under section 31A of this Act, and any part of any such road.

(iii) by omitting from the definition of "Permanent improvement" in the same subsection the words "or developmental" wherever occurring and by inserting in lieu thereof the words  
20 ", developmental, or tourist";

(iv) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

25 (2) Where—

(a) any road which passes through a public reserve and connects with a main road has, although the same is not a public road, been proclaimed to be a main road; or

30 (b) any road which is not a public road but is within a public reserve has been proclaimed as a tourist road,

then



*Main Roads (Amendment).*

then in the application of any provision of this Act to or in respect of any such road, unless the context or subject matter otherwise indicates or requires—

- 5 (i) a reference to the council shall be construed as a reference to the trustees of such public reserve; and
- (ii) a reference to the area of the council shall be construed as a reference to such public reserve.
- 10

(c) by inserting next before Part VII the following new Part : — New Part VIb.

**PART VIb.**

**TOURIST ROADS.**

15 31A. (1) The Governor may, on the recommendation of the Commissioner, proclaim as a tourist road any public road, or any road that is not, or any proposed road that will not be, a public road but is or will be within a public reserve, if, in the opinion of the Commissioner, such public road, road or proposed road will assist in making accessible areas or districts used or likely to be used by tourists. Proclamation of tourist roads.

20

(2) The Governor may, on the recommendation of the Commissioner, by proclamation amend or rescind any such proclamation.

25

31B. (1) (a) Where the Commissioner has decided that any work of construction or maintenance is necessary on a tourist road he may, except where authorised by the Governor to carry out the work, grant assistance to the council in whose area the tourist road is situated towards the carrying out of such work and may make an agreement with the council providing for the amounts to be paid by the Commissioner and the council respectively in respect of the carrying out of the work and for the work to be carried out by the council. Assistance towards construction or maintenance of tourist roads.

30

35

(b)



---

*Main Roads (Amendment).*

---

5 (b) The amount provided by the Commissioner in respect of the carrying out of the work shall not exceed one-half of the cost of the work or where in the special circumstances of the case the Commissioner agrees to pay more than one-half of the cost of the work, the amount agreed upon.

10 (c) Where any tourist road is not a public road but is within a public reserve the Commissioner may grant assistance to and make an agreement as aforesaid with the council within whose area the public reserve is situated or to or with any other council.

15 (2) Where an agreement is made under subsection one of this section the Commissioner shall pay the amount agreed to be paid by him from—

20 (a) the County of Cumberland Main Roads Fund, where the tourist road is situated within any area to which Part IV of this Act applies; and

(b) the Country Main Roads Fund, where the tourist road is situated within any area to which Part V of this Act applies,

25 to the council in whose area the tourist road is situated in trust to be expended on the said work in accordance with the agreement and the council shall account to the Commissioner therefor.

30 (3) The Governor may in any special case direct the work to be carried out by the Commissioner.

(4) All work entrusted to a council shall be carried out to the satisfaction of the Commissioner.

35 (d) by omitting from subsection one of section thirty-two the words "and developmental" and by inserting in lieu thereof the words "developmental, and tourist";

Sec. 32.  
(When board may do work itself.)

(e)



*Main Roads (Amendment).*

- (e) by omitting from subsection one of section thirty-three the words "and developmental" and by inserting in lieu thereof the words ", developmental, and tourist"; Sec. 33. (What works may be carried out.)
- 5 (f) by omitting from subsection one of section thirty-four the words "or developmental" and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 34. (Standard plans and specifications.)
- 10 (g) by omitting from subsection one of section thirty-six the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 36. (Board given powers of council.)
- 15 (h) (i) by omitting from section 48A, as inserted by the Main Roads and Local Government (Amendment) Act, 1957, the word "section" and by inserting in lieu thereof the word "subsection"; Sec. 48A. (Annual payment to University of New South Wales.)
- (ii) by inserting at the end of the same section the following new subsection :—
- 20 (2) There shall during the period of four years commencing on the first day of July, one thousand nine hundred and sixty, be paid by the Commissioner to the University of New South Wales an amount not exceeding two hundred
- 25 thousand pounds for the acquisition or construction of buildings, or the acquisition of equipment, furnishings and fittings, necessary in connection with the carrying out of highway and traffic research.
- 30 Any payments under this subsection shall be made in equal proportions from the County of Cumberland Main Roads Fund and the Country Main Roads Fund and shall be made at such times and by such instalments as the Commissioner may determine.



*Main Roads (Amendment).*

4. (1) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is further amended—  
Amendment of Act No. 37, 1960.

- 5 (a) by omitting from paragraph (b) of section ten the word "forty-eight" and by inserting in lieu thereof the figures and letter "48A";  
Sec. 10. (Amendment of Act No. 24, 1924.)
- (b) by omitting from the same paragraph the figures and letter "48A" and by inserting in lieu thereof the figures and letter "48B".

(2) This section shall be deemed to have commenced 10 on the twenty-eighth day of April, one thousand nine hundred and sixty.



# New South Wales



ANNO NONO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 56, 1960.

An Act to make provision for the application of certain moneys paid to the State of New South Wales under the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth and for the granting of assistance to councils for the construction and maintenance of roads proclaimed as tourist roads; for these and other purposes to amend the Main Roads Act, 1924, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 1st December, 1960.]

BE



---

*Main Roads (Amendment).*

---

**B**E it enacted by the Queen'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  
and  
citation.

**1.** (1) This Act may be cited as the "Main Roads (Amendment) Act, 1960".

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1960.

Consequen-  
tial.

(3) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is amended by omitting subsection four of section one.

Amendment  
of Act No.  
24, 1924.

**2.** (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended—

Sec. 10.

(County of  
Cumberland  
Main Roads  
Fund.)

(a) by omitting paragraph (e) of subsection one of section ten and by inserting in lieu thereof the following paragraph :—

(e) twenty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

Sec. 12.  
(Use of  
fund.)

(b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection :—

(1B) That part of the County of Cumberland Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (e) of subsection one of section ten of this Act shall be expended—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant; (b)



*Main Roads (Amendment).*

- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twenty-one of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the Country Main Roads Fund in respect of that year pursuant to paragraph (d) of subsection one of section twenty of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year firstmentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

- (c) by omitting paragraph (d) of subsection one of section twenty and by inserting in lieu thereof the following paragraph :—

Sec. 20.  
(Country  
Main Roads  
Fund.)

- (d) eighty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July; (d)



---

*Main Roads (Amendment).*

---

Sec. 21.  
(Expenditure.)

- (d) by omitting subsection (1B) of section twenty-one and by inserting in lieu thereof the following subsection :—

(1B) That part of the Country Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (d) of subsection one of section twenty of this Act shall be expended—

- (a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;
- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twelve of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the County of Cumberland Main Roads Fund in respect of that year pursuant to paragraph (e) of subsection one of section ten of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year first-mentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year first-mentioned as aforesaid.

(e)



---

*Main Roads (Amendment).*


---

(e) (i) by omitting paragraph (b) of subsection one of section twenty-nine and by inserting in lieu thereof the following paragraph :—

Sec. 29.  
(Develop-  
mental  
Roads  
Fund.)

(b) those moneys paid to the Commissioner out of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth from the moneys paid under that Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

(ii) by omitting subsection (2A) of the same section and by inserting in lieu thereof the following subsection :—

(2A) That part of the Developmental Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (b) of subsection one of this section shall be expended—

(a) on the construction, reconstruction, maintenance and repair of developmental roads in rural areas or on the purchase of road-making plant for use in connection with such developmental roads; or

(b) in making payments to municipal and other local authorities for the construction, reconstruction, maintenance and repair of developmental roads in rural areas or for the purchase of road-making plant for use in connection with such developmental roads.

(2) This section shall be deemed to have commenced upon the first day of July, one thousand nine hundred and fifty-nine.



---

*Main Roads (Amendment).*

---

Further  
amend-  
ment of  
Act No. 24,  
1924.

Sec. 2.  
(Division  
into Parts.)

**3.** The Main Roads Act, 1924, as amended by subsequent Acts, is further amended :—

- (a) by inserting in section two next after the matter relating to Part VI the following new matter :—

PART VI B.—TOURIST ROADS—SS. 31A, 31B.

Sec. 3.  
(Interpre-  
tation.)

- (b) (i) by omitting from the definition of “Maintenance” in subsection one of section three the words “or developmental” wherever occurring and by inserting in lieu thereof the words “, developmental, or tourist”;

- (ii) by inserting in the same subsection next after the definition of “State highway” the following new definition :—

“Tourist road” means road proclaimed as a tourist road under section 31A of this Act, and any part of any such road.

- (iii) by omitting from the definition of “Permanent improvement” in the same subsection the words “or developmental” wherever occurring and by inserting in lieu thereof the words “, developmental, or tourist”;

- (iv) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) Where—

- (a) any road which passes through a public reserve and connects with a main road has, although the same is not a public road, been proclaimed to be a main road; or

- (b) any road which is not a public road but is within a public reserve has been proclaimed as a tourist road,

then



*Main Roads (Amendment).*

then in the application of any provision of this Act to or in respect of any such road, unless the context or subject matter otherwise indicates or requires—

- (i) a reference to the council shall be construed as a reference to the trustees of such public reserve; and
  - (ii) a reference to the area of the council shall be construed as a reference to such public reserve.
- (c) by inserting next before Part VII the following new Part :— New Part VI.B.

**PART VI.B.****TOURIST ROADS.**

31A. (1) The Governor may, on the recommendation of the Commissioner, proclaim as a tourist road any public road, or any road that is not, or any proposed road that will not be, a public road but is or will be within a public reserve, if, in the opinion of the Commissioner, such public road, road or proposed road will assist in making accessible areas or districts used or likely to be used by tourists. Proclamation of tourist roads.

(2) The Governor may, on the recommendation of the Commissioner, by proclamation amend or rescind any such proclamation.

31B. (1) (a) Where the Commissioner has decided that any work of construction or maintenance is necessary on a tourist road he may, except where authorised by the Governor to carry out the work, grant assistance to the council in whose area the tourist road is situated towards the carrying out of such work and may make an agreement with the council providing for the amounts to be paid by the Commissioner and the council respectively in respect of the carrying out of the work and for the work to be carried out by the council. Assistance towards construction or maintenance of tourist roads.

(b)



---

*Main Roads (Amendment).*

---

(b) The amount provided by the Commissioner in respect of the carrying out of the work shall not exceed one-half of the cost of the work or where in the special circumstances of the case the Commissioner agrees to pay more than one-half of the cost of the work, the amount agreed upon.

(c) Where any tourist road is not a public road but is within a public reserve the Commissioner may grant assistance to and make an agreement as aforesaid with the council within whose area the public reserve is situated or to or with any other council.

(2) Where an agreement is made under subsection one of this section the Commissioner shall pay the amount agreed to be paid by him from—

(a) the County of Cumberland Main Roads Fund, where the tourist road is situated within any area to which Part IV of this Act applies; and

(b) the Country Main Roads Fund, where the tourist road is situated within any area to which Part V of this Act applies,

to the council in whose area the tourist road is situated in trust to be expended on the said work in accordance with the agreement and the council shall account to the Commissioner therefor.

(3) The Governor may in any special case direct the work to be carried out by the Commissioner.

(4) All work entrusted to a council shall be carried out to the satisfaction of the Commissioner.

(d) by omitting from subsection one of section thirty-two the words "and developmental" and by inserting in lieu thereof the words "developmental, and tourist";

(e)

Sec. 32.  
(When board may do work itself.)



---

*Main Roads (Amendment).*

---

- (e) by omitting from subsection one of section thirty-three the words "and developmental" and by inserting in lieu thereof the words ", developmental, and tourist"; Sec. 33.  
(What works may be carried out.)
- (f) by omitting from subsection one of section thirty-four the words "or developmental" and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 34.  
(Standard plans and specifications.)
- (g) by omitting from subsection one of section thirty-six the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 36.  
(Board given powers of council.)
- (h) (i) by omitting from section 48A, as inserted by the Main Roads and Local Government (Amendment) Act, 1957, the word "section" and by inserting in lieu thereof the word "subsection"; Sec. 48A.  
(Annual payment to University of New South Wales.)
- (ii) by inserting at the end of the same section the following new subsection :—

(2) There shall during the period of four years commencing on the first day of July, one thousand nine hundred and sixty, be paid by the Commissioner to the University of New South Wales an amount not exceeding two hundred thousand pounds for the acquisition or construction of buildings, or the acquisition of equipment, furnishings and fittings, necessary in connection with the carrying out of highway and traffic research.

Any payments under this subsection shall be made in equal proportions from the County of Cumberland Main Roads Fund and the Country Main Roads Fund and shall be made at such times and by such instalments as the Commissioner may determine.



---

*Main Roads (Amendment).*

---

Amendment of Act No. 37, 1960.

Sec. 10. (Amendment of Act No. 24, 1924.)

4. (1) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is further amended—

(a) by omitting from paragraph (b) of section ten the word “forty-eight” and by inserting in lieu thereof the figures and letter “48A”;

(b) by omitting from the same paragraph the figures and letter “48A” and by inserting in lieu thereof the figures and letter “48B”.

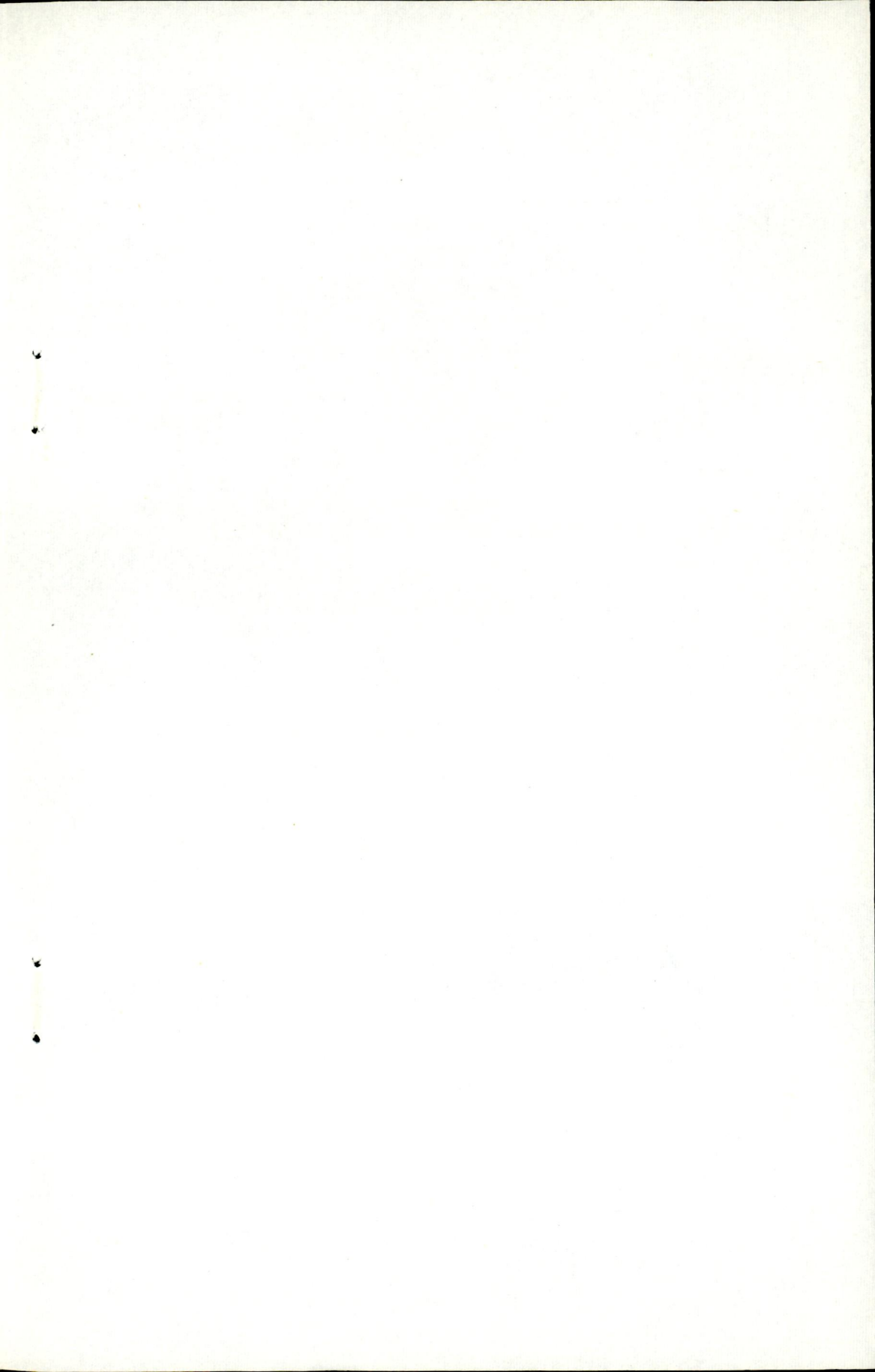
(2) This section shall be deemed to have commenced on the twenty-eighth day of April, one thousand nine hundred and sixty.

---

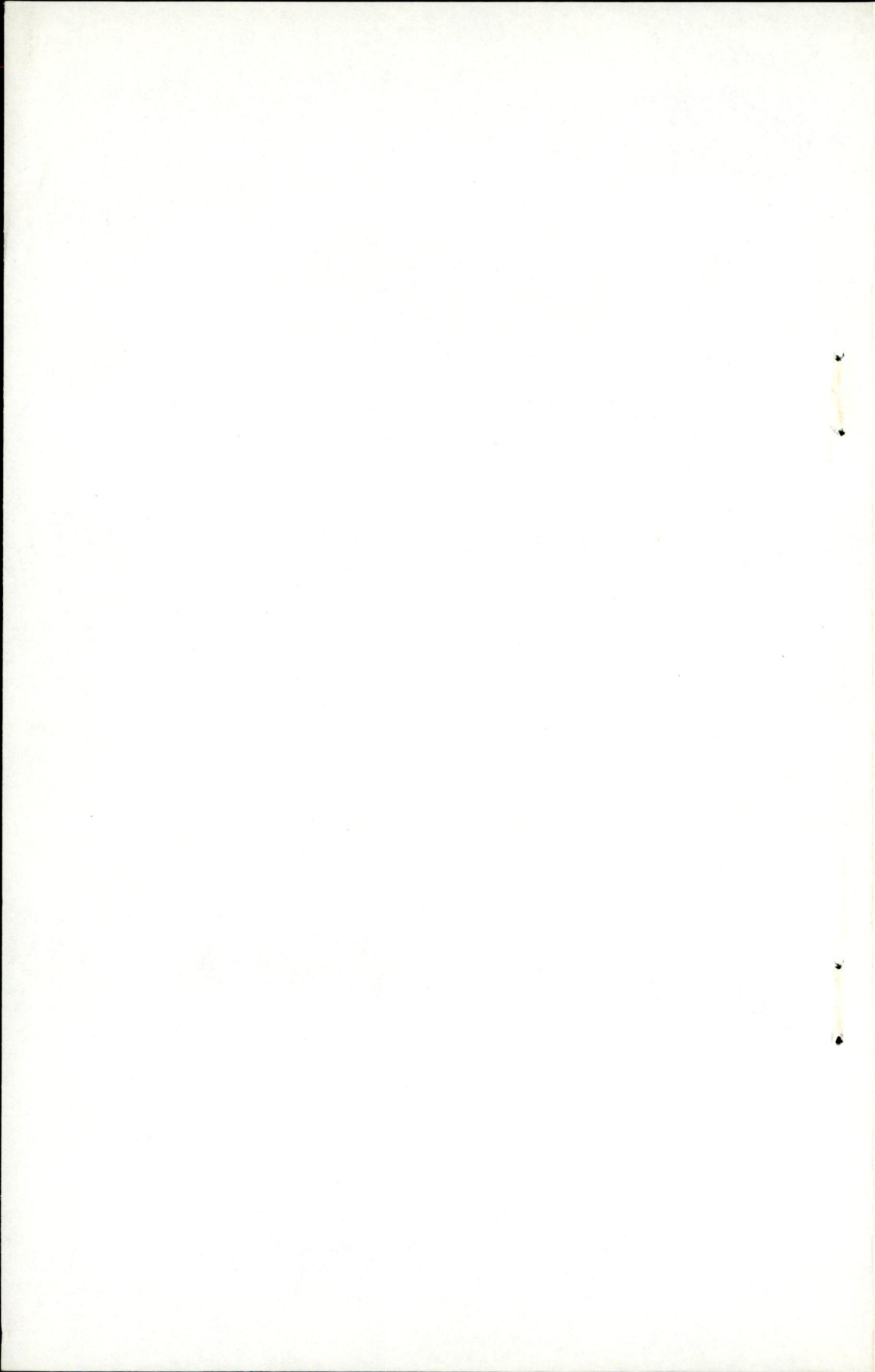
**By Authority:**

**V. C. N. BLIGHT, Government Printer, Sydney, 1960**











*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 24 November, 1960.*

## New South Wales



ANNO NONO

# ELIZABETHÆ II REGINÆ

\*\*\*\*\*

**Act No. 56, 1960.**

An Act to make provision for the application of certain moneys paid to the State of New South Wales under the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth and for the granting of assistance to councils for the construction and maintenance of roads proclaimed as tourist roads; for these and other purposes to amend the Main Roads Act, 1924, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 1st December, 1960.]

BE

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

HOWARD T. FOWLES,  
*Chairman of Committees of the Legislative Assembly.*



---

*Main Roads (Amendment).*

---

**B**E it enacted by the Queen'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 and citation.

**1.** (1) This Act may be cited as the "Main Roads (Amendment) Act, 1960".

(2) The Main Roads Act, 1924, as amended by subsequent Acts and by this Act, may be cited as the Main Roads Act, 1924-1960.

Consequential.

(3) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is amended by omitting subsection four of section one.

Amendment of Act No. 24, 1924.

**2.** (1) The Main Roads Act, 1924, as amended by subsequent Acts, is amended—

Sec. 10.  
(County of Cumberland Main Roads Fund.)

(a) by omitting paragraph (e) of subsection one of section ten and by inserting in lieu thereof the following paragraph:—

(e) twenty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

Sec. 12.  
(Use of fund.)

(b) by omitting subsection (1B) of section twelve and by inserting in lieu thereof the following subsection:—

(1B) That part of the County of Cumberland Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (e) of subsection one of section ten of this Act shall be expended—

(a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;

(b)



*Main Roads (Amendment).*

- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twenty-one of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the Country Main Roads Fund in respect of that year pursuant to paragraph (d) of subsection one of section twenty of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year firstmentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

- (c) by omitting paragraph (d) of subsection one of section twenty and by inserting in lieu thereof the following paragraph :—
  - (d) eighty per centum of the moneys, exclusive of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth, paid under sections four and six of the said Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July; (d)

Sec. 20.  
(Country  
Main Roads  
Fund.)



---

*Main Roads (Amendment).*

---

Sec. 21.  
(Expenditure.)

(d) by omitting subsection (1B) of section twenty-one and by inserting in lieu thereof the following subsection :—

(1B) That part of the Country Main Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (d) of subsection one of section twenty of this Act shall be expended—

- (a) on the construction, reconstruction, maintenance and repair of roads or on the purchase of road-making plant;
- (b) in making payments to municipal or other local authorities for the construction, reconstruction, maintenance and repair of roads or for the purchase of road-making plant; or
- (c) in making payments for or in connection with research relating to the construction, maintenance or repair of roads :

Provided that out of the moneys so paid into that fund in respect of that year there may be expended on works connected with transport by road or water other than those referred to in paragraph (a), (b) or (c) of this subsection or of subsection (1B) of section twelve of this Act, or in subsection (2A) of section twenty-nine of this Act, an amount which, together with any amount expended under the proviso to the said subsection (1B) out of the moneys paid into the County of Cumberland Main Roads Fund in respect of that year pursuant to paragraph (e) of subsection one of section ten of this Act, does not exceed such part of one million pounds as bears to one million pounds the same proportion as the amounts payable under sections four and six of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth to the State of New South Wales in respect of the year first-mentioned in this proviso bear to the total amount payable under the said sections four and six to all the States in respect of the year firstmentioned as aforesaid.

(e)



---

*Main Roads (Amendment).*

---

(e) (i) by omitting paragraph (b) of subsection one of section twenty-nine and by inserting in lieu thereof the following paragraph :—

Sec. 29.  
(Develop-  
mental  
Roads  
Fund.)

(b) those moneys paid to the Commissioner out of the amount required to be expended under subsection two of section seven of the Commonwealth Aid Roads Act 1959 of the Parliament of the Commonwealth from the moneys paid under that Act to the State by the Commonwealth of Australia in respect of any year commencing on the first day of July;

(ii) by omitting subsection (2A) of the same section and by inserting in lieu thereof the following subsection :—

(2A) That part of the Developmental Roads Fund which consists of moneys paid into that fund in respect of any year pursuant to paragraph (b) of subsection one of this section shall be expended—

(a) on the construction, reconstruction, maintenance and repair of developmental roads in rural areas or on the purchase of road-making plant for use in connection with such developmental roads; or

(b) in making payments to municipal and other local authorities for the construction, reconstruction, maintenance and repair of developmental roads in rural areas or for the purchase of road-making plant for use in connection with such developmental roads.

(2) This section shall be deemed to have commenced upon the first day of July, one thousand nine hundred and fifty-nine.



---

*Main Roads (Amendment).*

---

Further  
amend-  
ment of  
Act No. 24,  
1924.

3. The Main Roads Act, 1924, as amended by subsequent Acts, is further amended :—

Sec. 2.  
(Division  
into Parts.)

(a) by inserting in section two next after the matter relating to Part VI the following new matter :—

PART VIB.—TOURIST ROADS—*ss.* 31A, 31B.

Sec. 3.  
(Interpre-  
tation.)

(b) (i) by omitting from the definition of "Maintenance" in subsection one of section three the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist";

(ii) by inserting in the same subsection next after the definition of "State highway" the following new definition :—

"Tourist road" means road proclaimed as a tourist road under section 31A of this Act, and any part of any such road.

(iii) by omitting from the definition of "Permanent improvement" in the same subsection the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist";

(iv) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) Where—

(a) any road which passes through a public reserve and connects with a main road has, although the same is not a public road, been proclaimed to be a main road; or

(b) any road which is not a public road but is within a public reserve has been proclaimed as a tourist road,

then



---

*Main Roads (Amendment).*

---

then in the application of any provision of this Act to or in respect of any such road, unless the context or subject matter otherwise indicates or requires—

- (i) a reference to the council shall be construed as a reference to the trustees of such public reserve; and
  - (ii) a reference to the area of the council shall be construed as a reference to such public reserve.
- (c) by inserting next before Part VII the following new Part :—

New  
Part VIb.

**PART VIb.**

**TOURIST ROADS.**

31A. (1) The Governor may, on the recommendation of the Commissioner, proclaim as a tourist road any public road, or any road that is not, or any proposed road that will not be, a public road but is or will be within a public reserve, if, in the opinion of the Commissioner, such public road, road or proposed road will assist in making accessible areas or districts used or likely to be used by tourists.

Proclama-  
tion of  
tourist  
roads.

(2) The Governor may, on the recommendation of the Commissioner, by proclamation amend or rescind any such proclamation.

31B. (1) (a) Where the Commissioner has decided that any work of construction or maintenance is necessary on a tourist road he may, except where authorised by the Governor to carry out the work, grant assistance to the council in whose area the tourist road is situated towards the carrying out of such work and may make an agreement with the council providing for the amounts to be paid by the Commissioner and the council respectively in respect of the carrying out of the work and for the work to be carried out by the council.

Assistance  
towards  
construc-  
tion or  
maintenance  
of tourist  
roads.

(b)



---

*Main Roads (Amendment).*

---

(b) The amount provided by the Commissioner in respect of the carrying out of the work shall not exceed one-half of the cost of the work or where in the special circumstances of the case the Commissioner agrees to pay more than one-half of the cost of the work, the amount agreed upon.

(c) Where any tourist road is not a public road but is within a public reserve the Commissioner may grant assistance to and make an agreement as aforesaid with the council within whose area the public reserve is situated or to or with any other council.

(2) Where an agreement is made under subsection one of this section the Commissioner shall pay the amount agreed to be paid by him from—

- (a) the County of Cumberland Main Roads Fund, where the tourist road is situated within any area to which Part IV of this Act applies; and
- (b) the Country Main Roads Fund, where the tourist road is situated within any area to which Part V of this Act applies,

to the council in whose area the tourist road is situated in trust to be expended on the said work in accordance with the agreement and the council shall account to the Commissioner therefor.

(3) The Governor may in any special case direct the work to be carried out by the Commissioner.

(4) All work entrusted to a council shall be carried out to the satisfaction of the Commissioner.

- (d) by omitting from subsection one of section thirty-two the words "and developmental" and by inserting in lieu thereof the words "developmental, and tourist";

(e)

Sec. 32.  
(When board may do work itself.)



*Main Roads (Amendment).*

- (e) by omitting from subsection one of section thirty-three the words "and developmental" and by inserting in lieu thereof the words ", developmental, and tourist"; Sec. 33. (What works may be carried out.)
- (f) by omitting from subsection one of section thirty-four the words "or developmental" and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 34. (Standard plans and specifications.)
- (g) by omitting from subsection one of section thirty-six the words "or developmental" wherever occurring and by inserting in lieu thereof the words ", developmental, or tourist"; Sec. 36. (Board given powers of council.)
- (h) (i) by omitting from section 48A, as inserted by the Main Roads and Local Government (Amendment) Act, 1957, the word "section" and by inserting in lieu thereof the word "subsection"; Sec. 48A. (Annual payment to University of New South Wales.)
- (ii) by inserting at the end of the same section the following new subsection:—
- (2) There shall during the period of four years commencing on the first day of July, one thousand nine hundred and sixty, be paid by the Commissioner to the University of New South Wales an amount not exceeding two hundred thousand pounds for the acquisition or construction of buildings, or the acquisition of equipment, furnishings and fittings, necessary in connection with the carrying out of highway and traffic research.

Any payments under this subsection shall be made in equal proportions from the County of Cumberland Main Roads Fund and the Country Main Roads Fund and shall be made at such times and by such instalments as the Commissioner may determine.



---

*Main Roads (Amendment).*

---

Amend-  
ment of  
Act No. 37,  
1960.

Sec. 10.  
(Amend-  
ment of  
Act No. 24,  
1924.)

4. (1) The Sydney Harbour Bridge (Further Works) and Main Roads (Amendment) Act, 1960, is further amended—

(a) by omitting from paragraph (b) of section ten the word "forty-eight" and by inserting in lieu thereof the figures and letter "48A";

(b) by omitting from the same paragraph the figures and letter "48A" and by inserting in lieu thereof the figures and letter "48B".

(2) This section shall be deemed to have commenced on the twenty-eighth day of April, one thousand nine hundred and sixty.

*In the name and on behalf of Her Majesty I assent to this Act.*

**K. W. STREET,**  
*By Deputation from  
His Excellency the Governor.*

*Government House,  
Sydney 1st December, 1960.*