

## Act No. 16, 1906.

An Act to amend the Sydney Corporation Act, 1902; to amend and explain the Sydney Corporation Amendment Act, 1905; to define the boundaries of certain land resumed by the council under the last-mentioned Act, and to vest such land in the council; and for other purposes incidental thereto or consequent thereon. [6th November, 1906.]

SYDNEY  
CORPORATION  
AMENDMENT.

**B**E it enacted by the King'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. This Act shall be construed and read as one with the Sydney Corporation Amendment Act, 1905 (hereinafter called the Principal Act), and may be cited as the "Sydney Corporation Amendment Act, 1906." Short title.

2. The Act mentioned in the First Schedule hereto is, to the extent therein expressed, hereby repealed. Repeal.

3. Section sixteen of the Principal Act is amended by the insertion after the word "resume" of the words "all lands required for the opening of new public ways or the widening, enlarging, or extending of public ways in the city, and all lands of which those required for such purposes form part, and" Amendment of section 16 of the Principal Act.

The said section shall be read as if the words so inserted formed part of the section at the commencement of the Principal Act.

4. As to any land forming part of that described in Schedule A or B to the Principal Act, and resumed or expressed to have been resumed by the council before or after the commencement of this Act, the Crown shall be deemed to have been, and shall be, expressly bound by the Principal and this Act. Where any land owned by the Crown, or in which the Crown has an estate or interest (forming part of the land described in any such Schedule), has been or shall be resumed by the council, the Attorney-General is hereby empowered to make claim for compensation and settle with the council, or sue for and receive the amount of such compensation on behalf of the Crown. Crown bound as to resumption under Principal Act.

5. Section eighteen of the Principal Act is hereby amended— Amendment of section 18 of Principal Act.

(a) by the omission of the words "section nineteen of";

(b)

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(b) by the omission of the word "each" and by the insertion in lieu thereof of the word "four";  
and for the purpose of any resumption made or expressed to be made prior to the commencement of this Act the Principal Act shall be read as if such section had been so amended at the time of the commencement of such Principal Act.

Amendment of section 22 of the Principal Act.

6. Subsection two of section twenty-two of the Principal Act is amended by the insertion after the words "mutatis mutandis" of the words "as far as practicable."

Land resumed by council.

7. For the purpose of removing doubts as to the boundaries of the land which forms part of that described in Schedule A to the Principal Act, and which is already resumed by the council, such land shall be deemed to be that described in the Second Schedule of this Act, and is hereby, for the purposes and subject to the provisions of this and the Principal Act, vested in the council for an estate in fee-simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

Incorporation of certain sections of the Public Works Act, 1900.

8. In addition to the sections of the Public Works Act, 1900, declared by the Principal Act to be incorporated therewith, sections forty-six, one hundred and twenty to one hundred and twenty-four inclusive, one hundred and twenty-eight, and one hundred and twenty-nine of the said Public Works Act shall be incorporated with the Principal Act, and the lastnamed Act shall, for the purpose of any resumption under the authority thereof made before or after the commencement of this Act, be read as if such sections as incorporated by this Act were mentioned in and incorporated with the Principal Act at the time of the commencement thereof:

Provided that as to section forty-six—

- (1) the words "so seised, possessed, or entitled as aforesaid" shall be deemed to be omitted therefrom;
- (2) the words "as in the preceding subsection mentioned" shall be deemed to be omitted therefrom, and the words "and may claim compensation in respect of land resumed, and agree to and settle and determine with the council the amount of such compensation" inserted in lieu thereof;
- (3) the words "and to claim, agree to, and settle and determine with the council the amount of compensation" shall be deemed to be inserted after the word "release" in subsection three thereof;
- (4) subsection five shall be deemed to be omitted therefrom:

Provided also that as to section one hundred and twenty-eight—

- (1) the words "such conveyances" shall be deemed to be omitted from subsection one, and the words "conveyances of land resumed under this or the Principal Act" inserted in lieu thereof;
- (2)

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(2) the words "all charges and expenses incurred on the part as well of the seller as of the purchaser" shall be deemed to be omitted from subsection two, and the words "the following charges and expenses" inserted in lieu thereof.

9. (1) The council may establish and maintain, in the city or any ward thereof, free reading and lending libraries, and may, with the consent of the Governor, take over the maintenance and control of any such library now under the maintenance and control of the Crown. Council may establish or take over free lending libraries.

(2) All such libraries shall be open to the public every day except Sunday, Christmas Day, and Good Friday, for a stated period to be defined in each case by by-laws, and without any restriction other than that which may be necessary for the preservation of the property therein and the observance of good order.

10. The property used in connection with every such library shall be vested in the council for the permanent use of the public, and the council, acting as trustees thereof, shall be competent to acquire, possess, and hold property in books, papers, instruments, works of art, and other articles, on behalf of any such library, by bequest, purchase, or otherwise. Libraries vested in council.

11. The council may defray the cost of establishing and maintaining any such library out of the city fund. Cost may be defrayed out of city fund.

12. Section twelve of the Principal Act is amended by the addition of the following paragraphs to follow paragraph (j):—

(k) authorising and regulating the collections for charitable purposes in public ways; Amendment of section 12 of the Principal Act. Collections for charitable purposes.

(l) regulating free reading and lending libraries under its control and management; Libraries.

(m) regulating gymnasia under its control and management. Gymnasia.

13. The council may, out of the city fund, erect, establish, and maintain public gymnasia upon any land in the city (not being portion of a public way) vested in or dedicated to the council for any purpose, including any land used as a public park. Erection and maintenance of public gymnasia.

14. Section eighteen subsection one of the Sydney Corporation Act, 1902, is hereby amended by the omission of the words "two" and "second" in the second line of the said section, and the insertion in lieu thereof respectively of the words "six" and "third." Amendment of section 18 of Sydney Corporation Act, 1902.

SCHEDULES.

FIRST SCHEDULE.

Number of Act.	Name of Act.	Extent of repeal.
1902, No. 35 ...	Sydney Corporation Act, 1902 ... ..	Part XV.

SECOND

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*Sydney Council (Resumption Moneys).*

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## SECOND SCHEDULE.

All that piece or parcel of land situate, lying, and being in the city of Sydney, county of Cumberland, and State of New South Wales : Commencing at the intersection of the northern building line of George-street West with the western boundary of Hillier's property, being a point distant about forty-three feet six inches west of the western building line of Howard-street ; thence on part of the east and part of the south, and again on part of the east by Hillier's property, and continuing to the southern boundary of property known as number sixty-one, Howard-street ; thence again on the south by the aforesaid boundary of last-mentioned property easterly to the western building line of Howard-street ; thence again on the south by a line bearing south-easterly to the south-western corner of property known as number sixty-eight, Howard-street ; thence again on the south by the southern boundary of that property easterly to an open sewer ; thence on the east by that open sewer bearing generally north-westerly to the building line of William Henry street ; thence on the north by that building line of William Henry street bearing south-westerly to the eastern building line of Bay-street ; thence on the west by that aforesaid building line of Bay-street, being a line bearing southerly to the southern boundary of property known as number one hundred and fifty-two, Bay-street ; thence again on the south by the southern boundary of that property and the southern building line of Smith-street bearing generally easterly to the eastern building line of Athlone-place ; thence again on the west by that aforesaid building line of Athlone-place bearing southerly to the aforesaid northern building line of George-street West ; thence again on the south by that aforesaid building line of George-street West, to the point of commencement.

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