

## PUBLIC WORKS (DECLARATORY) ACT.

### Act No. 33, 1952.

An Act to declare the law with respect to certain provisions of the Public Works Act, 1912, as amended by subsequent Acts; to validate certain resumptions made under the provisions of that Act; and for purposes connected therewith. [Assented to, 29th October, 1952.]

**Elizabeth II,  
No. 33, 1952.**

**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 "Public Works (Declaratory) Act, 1952".

Short title  
and con-  
struction.

(2) This Act shall be read and construed with the Public Works Act, 1912, as amended by subsequent Acts.

**2.** (1) The expression "public offices" in paragraph (b) of section forty-one of the Public Works Act, 1912, as amended by subsequent Acts, shall include and be deemed always to have included offices, premises and buildings for the Rural Bank of New South Wales and the Commissioners of the Government Savings Bank of New South Wales.

Meaning of  
"public  
offices" and  
"public  
buildings"  
in sec. 40  
(1) (c) and  
41 (b) of  
Act No. 45,  
1912.

(2) The expression "public offices or public buildings" in paragraph (c) of subsection one of section forty of the Public Works Act, 1912, as amended by subsequent Acts, shall include and be deemed always to have included offices, premises and buildings for the Rural Bank of New South Wales.

**3.**

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Meaning of  
"public  
funds" in  
sec. 40 (1)  
(b) of Act  
No. 45,  
1912.

**3.** The expression "public funds" in paragraph (b) of subsection one of section forty of the Public Works Act, 1912, as amended by subsequent Acts, shall include and be deemed always to have included moneys held by the Rural Bank of New South Wales or the Commissioners of the Government Savings Bank of New South Wales made available for or towards the carrying out of any public work or undertaking which by virtue of section forty-one of the Public Works Act, 1912, as amended by subsequent Acts, and subsection one of section two of this Act, is a public work or undertaking for the purposes of section forty of the Public Works Act, 1912, as amended by subsequent Acts.

Validation  
of resump-  
tions.

**4.** (1) Any notification published in the Gazette prior to the date of commencement of this Act, expressing land therein described to have been appropriated or resumed under the provisions of the Public Works Act, 1912, and any amendment thereof, for the "construction of public offices" or for the "provision of public offices" shall be deemed to have been as effectual as if it had expressed such land to have been appropriated or resumed for "buildings for public offices", and to have effectually vested such land in the Minister for Public Works as Constructing Authority under the said Act, or the said Act and any such amendment, as on the date of publication of such notification.

(2) The notifications published in the Gazette which are referred to in the Schedule to this Act, shall be deemed, as on the respective dates of publication thereof in the Gazette, to have effectually vested the lands, referred to in such notifications and described in such Schedule, in the Minister for Public Works as Constructing Authority under the provisions of the Public Works Act, 1912, and any amendment then in force at the respective dates of such publication.

Saving of  
certain  
rights.

**5.** This Act shall not affect the rights of the parties to any decision pronounced by a court of competent jurisdiction before the commencement of this Act.

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SCHEDULE.

## SCHEDULE.

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1. Notification of resumption published in the Gazette on the fourteenth day of November, one thousand nine hundred and twenty-four, of certain land in Riley-street, Surry Hills, for the provision of public offices for the Commissioners of the Government Savings Bank of New South Wales, which land is more particularly described as follows:—

All that piece or parcel of land situated in the City of Sydney, parish of Alexandria, county of Cumberland, State of New South Wales, being part of block F2 Riley Estate and containing  $6\frac{1}{2}$  perches: Commencing at a point on the eastern side of Riley-street, being the south-western corner of the land comprised in Real Property Act Application No. 15,560; and bounded thence on the part of the north by the southern boundaries of the land in that application, being a line passing along the centre of a 9-inch brick party wall bearing 91 degrees 42 minutes for 30 feet 1 inch; by a line bearing 181 degrees 42 minutes for 7 inches; by a line bearing 91 degrees 3 minutes for 25 feet  $10\frac{1}{2}$  inches and by a line bearing 88 degrees 54 minutes for 18 feet 9 inches to the western side of Providence-place; on the east by that side of Providence-place, being a line bearing 182 degrees 34 minutes for 25 feet to the north-eastern corner of the land comprised in Real Property Act Application No. 16,507, on the south by the northern boundary of the land in that application, being a line passing along the northern face of a brick wall and between two walls bearing 271 degrees 17 minutes for 23 feet  $10\frac{3}{4}$  inches along the southern face of a wall bearing 271 degrees 10 minutes for 20 feet  $3\frac{1}{2}$  inches and 271 degrees 4 minutes for 29 feet  $11\frac{1}{4}$  inches to the eastern side of Riley-street aforesaid; and thence on the west by part of that side of Riley-street, being a line bearing 1 degree 20 minutes for 25 feet and  $\frac{3}{4}$  of an inch, to the point of commencement, be the several dimensions mentioned herein all a little more or less.

Also, all that piece or parcel of land situated in the City of Sydney, parish of Alexandria, county of Cumberland, and State of New South Wales, being part of block F2 Riley Estate, and containing  $\frac{3}{4}$  of a perch: Commencing at a point on the south-western side of Arnold-place, being the easternmost corner of the land comprised in Real Property Act Application No. 15,560; and bounded on the north-east by part of the south-western side of Arnold-place, being a line bearing 124 degrees 59 minutes for 16 feet  $8\frac{3}{4}$  inches to the western side of Providence-place, on the east by part of that side of Providence-place, being a line bearing 182 degrees 34 minutes for 9 feet 2 inches, on the south by a line bearing 268 degrees 54 minutes for 18 feet 9 inches to the south-eastern corner of the land comprised in Real Property Act Application No. 15,560 aforesaid; and thence towards the west by the eastern boundaries of the land in that application, being a line in part passing along the western face of a brick wall bearing 2 degrees 22 minutes for 3 feet  $10\frac{1}{2}$  inches; and by a  
line

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line passing along the north-western face of a brick wall bearing 19 degrees 9 minutes for 16 feet 2 inches, to the point of commencement, be the several dimensions mentioned herein all a little more or less.

2. Notification of resumption published in the Gazette on the third day of July, one thousand nine hundred and twenty-five, of certain land at Molong for the provision of a manager's residence at Molong for the Commissioners of the Government Savings Bank of New South Wales, which is more particularly described as follows:—

All that piece or parcel of land, containing by admeasurement 2 acres 3 roods 10½ perches or thereabouts, being part of a subdivision of portion 15, in the parish of Gamboola, county of Wellington, and State of New South Wales, be the hereinafter mentioned several dimensions a little more or less, the aforesaid subdivision being known as the Vale Head Subdivision: Commencing at the north-east corner of lot 61 of section A of the aforesaid Vale Head Subdivision, and bounded on the south by the north boundary of that lot and the north boundary of lot 36 of the aforesaid section A, bearing 270 degrees 9 minutes distant 442 feet 3 inches to the north-east side of Betts-street; thence on the south-west by part of that side of that street bearing 330 degrees 22 minutes distant 120 feet 8 inches to its junction with the south-east side of a road 1 chain wide, being the main road from Molong to Euchareena; thence on the north-west by part of that side of that road bearing 25 degrees 23 minutes distant 175 feet 8¼ inches; thence on the north by a line bearing 90 degrees 30 minutes distant 426 feet 7½ inches to the west side of a road 1 chain wide; and thence on the east by part of that side of that road bearing 180 degrees distant 261 feet and ¼ of an inch, to the point of commencement.

3. Notification of resumption published in the Gazette on the fifteenth day of January, one thousand nine hundred and thirty-six, of certain land at Corowa for a certain authorised work namely the provision of public offices at Corowa for the Commissioners of the Rural Bank of New South Wales which land is more particularly described as follows:—

All that piece of land situate in the Municipality of Corowa, parish of Corowa, county of Hume, and State of New South Wales, being lot 8, section A of Leyser Levin's Subdivision of portion 35 shown on plan catalogued 130 (L) at the Registrar-General's Office, comprised in deed registered book 210, No. 323, and part of lot 7 of the said section A, comprised in deed registered book 183, No. 526: Commencing on the north-eastern side of Sanger-street at the south-western corner of lot 9 of the said section A, Leyser Levin's Subdivision, being a point bearing 169 degrees 59 minutes and distant 247 feet 6 inches from the intersection of the said side of Sanger-street with the south-eastern side of Isabel-street; and bounded thence on the north-west by the south-eastern boundary of the said lot 9 being a partly fenced

fenced line bearing 79 degrees 59 minutes 165 feet; on the north-east by the south-western boundary of lot 19 and part of the south-western boundary of lot 20 bearing 169 degrees 59 minutes 74 feet 3 inches; on the south-east by the north-western boundary of the land comprised in Certificate of Title, registered volume 710, folio 208, bearing 259 degrees 59 minutes 165 feet to the north-eastern side of Sanger-street aforesaid; and on the south-west by that side of that street bearing 349 degrees 59 minutes 74 feet 3 inches to the point of commencement,—having an area of 1 rood 5 perches or thereabouts.

4. Notification of resumption published in the Gazette on the fifth day of June, one thousand nine hundred and thirty-six, and regazetted on the tenth day of July, one thousand nine hundred and thirty-six, of certain land at Goulburn for a certain authorised work namely the provision of public offices at Goulburn for the Commissioners of the Rural Bank of New South Wales which land is more particularly described as follows:—

All that piece or parcel of land situate in the Municipality of Goulburn, parish of Goulburn, county of Argyle, and State of New South Wales, being part of allotment 20, section 20, city of Goulburn, held under Old System Title: Commencing on the south-eastern side of Auburn-street at a point bearing 25 degrees 30 minutes, and distant 4 feet 4 inches from the intersection of that side of that street with the north-eastern side of Goldsmith-street; and bounded thence by that side of Auburn-street bearing 25 degrees 30 minutes 31 feet 8 inches; on the north-east by a line passing along the north-eastern face of a brick wall bearing 115 degrees 50 minutes 69 feet 3 inches and a line partly passing through a 9-inch brick party wall bearing 115 degrees 56 minutes 46 feet 9½ inches; again on the north-east by a line passing through an old stone wall bearing 115 degrees 52 minutes 18 feet 4½ inches; on the north-west by a line passing along the south-eastern face of the wall of old brick stables bearing 25 degrees 51 minutes 30 feet 7½ inches; again on the north-east by an old fenced line bearing 116 degrees 27 minutes 41 feet 2¾ inches; on the south-east by an old fenced line bearing 206 degrees 18 minutes 23 feet 3 inches and a line passing along the north-western face of a brick wall bearing 206 degrees 2 minutes 42 feet 11½ inches to the north-eastern side of Goldsmith-street aforesaid; on the south-west by that side of that street bearing 295 degrees 52 minutes 170 feet 7½ inches; and again on the south-west by a line bearing 339 degrees 39 minutes 6 feet 3¼ inches to the point of commencement; having an area of 27½ perches or thereabouts.