

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. . . , 1923.

A BILL

To amend the Sydney Corporation Act, 1902,
and certain other Acts; and for purposes
connected therewith.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
the same, as follows:—

1. This Act may be cited as the "Sydney Corpora- Short title.
tion (Amendment) Act, 1923," and shall be construed
with the Sydney Corporation Act, 1902, and any Acts
amending the same. The Sydney Corporation Act, 1902,
as so amended, is hereinafter called the Principal Act.

2. The Principal Act is amended as follows :—

Amendment
of Principal
Act.
Sec. 9.

(1) In section nine—

(a) by omitting all words from the commencement of the section down to but not including the words "severally the owner" where occurring in paragraph (a) of subsection one, and by inserting the following in lieu thereof :—

"(1) The following persons if of the age of twenty-one years or upwards shall be entitled to be placed on the citizen's roll for any ward :—

(a) Any person, male or female, being a natural born or naturalised British subject who on the first day of April of the year in which a roll is to be prepared as hereinafter provided is";

(b) by omitting from paragraph (b) of subsection one all words following the words "first day" down to but not including the words "in joint or several occupation" and by inserting in lieu thereof the words "of April of the year in which a roll is to be prepared as hereinafter provided";

(c) by omitting from paragraph (c) of the same subsection all words following the words "first day" down to but not including the words "occupied jointly" and by inserting in lieu thereof the words "of April of the year in which a roll is to be prepared as hereinafter provided";

(2) by omitting from subsection one of section ten, Sec. 10.

all words from the commencement of the subsection down to and including the words "the stipendiary magistrates" where first occurring, and inserting in lieu thereof the words "on or before the first day of April in every year in which an election of aldermen is to be held, the stipendiary magistrates";

(3)

- (3) by omitting from subsection one of section Sec. 11. eleven all words from the commencement of the subsection down to and including the words "make out a list" and inserting in lieu thereof the words "The collectors appointed for each ward shall in the months of April and May in every such year, make out a list";
- (4) by omitting from subsection one of section Sec. 12. twelve all words following the words "last preceding section" and inserting in lieu thereof the words "from the first to the thirty-first day of July in each such year";
- (5) (a) by omitting from subsection one of section Sec. 13. thirteen all words from the commencement of the subsection down to and including the words "whose name is not on such list" and inserting in lieu thereof the words "at any time after the first and before the thirty-first day of July in any such year, any person whose name is not on such list";
- (b) by omitting from subsection two of the same section all words from the commencement of the subsection down to and including the words "the said chamber magistrate" and inserting in lieu thereof the words "as soon as possible after the said thirty-first day of July, the said chamber magistrate";
- (6) by omitting from subsection one of section Sec. 14. fourteen all words from the commencement of the subsection down to and including the words "revision courts" and inserting in lieu thereof the words "During the month of August in every such year revision courts";
- (7) by inserting the following section next after section seventeen:—
- 17A. The Governor may by proclamation in Governor the Gazette before or after the time at or may vary during or within which anything may or shall times and be done in pursuance of this Part, alter or validate extend irregularities. 1902 No. 86, s. 3 (2).

Sydney Corporation (Amendment).

extend such time, or may validate anything done after such time or done irregularly in matter of form ;

- (8) by omitting from section seventeen the proviso Sec. 17. to subsection three.

Consequential amendments.

- (9) (a) The Sydney Corporation (Amendment) Act, Act No. 86, 1902. is hereby repealed.
- (b) The Sydney Corporation Amendment Act, Act No. 39, 1905. is amended by omitting section three.
- (c) The Sydney Corporation (Amendment) Act, Act No. 22, 1917. is amended by omitting section two.

3. The Principal Act is further amended by adding at the end of section twenty-four the following proviso:—

Amendment of Principal Act. Sec. 24. cf. Local Government Act, 1919, s. 30 (5).

Provided that a person shall not be disqualified for a civic office or be liable to a penalty by reason only of having a direct or indirect pecuniary interest in any agreement with the council for or with respect to—

- (a) the publication of advertisements in a newspaper of which he is the owner or part owner ; or
- (b) the supply to him by the council of any service product or commodity in like manner and subject to the like conditions applicable in the case of persons who are not aldermen ; or
- (c) the performance by the council at his expense of work in connection with roads or sanitation ; or
- (d) the occupation of roads by him during the erection of buildings ; or
- (e) the making good by him without payment of any damage to roads caused by him, or the payment by him to the council of the cost of making good such damage ; or
- (f) the renting of any land from the council by him in any case where the agreement was made before his election ; or

(g)

- (g) the renting by him from the council of a building hall or room for the purpose of holding a meeting or entertainment therein ; or
- (h) the payment to or by the council of any claim in respect of a dividing fence ; or
- (i) the leasing from the council by him of any public watering-place adjoining land held by him ; or
- (j) the use by him of any market or sale-yard of the council, in like manner and subject to the like conditions applicable in the case of persons who are not aldermen ; or
- (k) the settlement by him of any claim he may have against the council for compensation in respect of property in which he has an interest upon the resumption of the same by the council under its statutory powers.

4. The Principal Act is further amended by omitting section forty and by inserting the following section in lieu thereof :—

Amendment of Principal Act—substituted s. 40.

40. (1) Before any person claiming to vote shall be permitted to vote he shall make and subscribe before the presiding officer a declaration in the form contained in the Ninth Schedule to this Act.

Declaration by voter.

(2) The presiding officer may, and at the request of any scrutineer shall, put to any person claiming to vote all or any of the following questions :—

- (a) Are you the person whose name appears as number on the citizens' roll for this ward ?
- (b) Are you of the full age of twenty-one years ?
- (c) Have you already voted either here or elsewhere at this election ?
- (d) Are you disqualified from voting ?

(3) Every person wilfully making a false answer to any such question, or wilfully making a false declaration under this section, shall be deemed guilty of a misdemeanour.

(4)

(4) No person shall be allowed to vote unless he makes such declaration, and (if asked) answers such questions satisfactorily.

(5) If any person refuses to answer fully any question put to him by the presiding officer, or by his answer shows that he is not entitled to vote, his claim to vote shall be rejected.

5. The Principal Act is further amended— Amendment of Principal Act.

(a) by inserting the following section next after New s. 57A. section fifty-seven :—

57A. (1) The council may, at its discretion Power to take referendum of citizens. for its information and guidance on any matter under this or any other Act, take a referendum of the citizens of the city or of the citizens of such ward or wards of the city as the council considers to be interested.

(2) The provisions of this Act or of any by-law hereunder relating to all matters incidental to the conduct of elections under this Act shall, so far as the same are applicable, apply mutatis mutandis to the taking of any such referendum ;

(b) by inserting in paragraph (b) of section two Ibid. s. 200. Consequential amendment—by-laws. hundred after the word "elections" the words "and referenda."

6. The Principal Act is further amended by the Ibid. Repeal of s. 66. repeal of section sixty-six.

7. The Principal Act is further amended by the Ibid. Substituted s. 81. omission of section eighty-one and by the insertion in lieu thereof of the following section :—

81. (1) Notwithstanding anything to the contrary in this or any other Act contained, it shall be lawful for the council, when and as it shall deem expedient, with the approval of the Governor to be notified as hereinafter provided, to take over any way whether such way be formed or not, and from the date of such notification as aforesaid such way shall be vested in the council as a public way, and shall thenceforth be under the control, management, and direction of the council for all the purposes of this Act and of any by-law made thereunder. Control of lanes and ways.

(2)

(2) Such approval of the Governor shall be notified in the Gazette, and a copy of such Gazette, purporting to be printed by the Government Printer, shall be conclusive evidence of such approval and of the fact that the way therein mentioned is a way within the meaning of this Act.

(3) For the purposes of this section the expression "way" means way, court, square, alley, or portion thereof within the city, whether used as a thoroughfare or as a means of access to any properties within the city.

(4) (a) Where any way which the council proposes to take over has not been levelled, paved, macadamised, drained, or otherwise fully completed to the satisfaction of the council, the council may, either before or within one year after taking over the said way, level, pave, macadamise, drain, or otherwise fully complete the same, and all the expenses incurred in so doing shall be paid by the owner of the premises fronting, adjoining, or abutting on the way, or if there is more than one such owner, by the respective owners of the said premises in such proportions as the council may determine.

(b) In determining the proportion of such expenses to be paid by the respective owners as aforesaid, the council may have regard to the following considerations, that is to say—

- (a) the benefit to be derived by any premises from such works;
- (b) the amount and value of any work on such way already done by the owners or occupiers of any such premises.

(5) If within fourteen days after the service upon such owner in the manner prescribed by section two hundred and sixteen of this Act of notice of the amount of such expenses so incurred or determined as aforesaid, such amount is not paid to the City Treasurer, the council shall have the like remedies for recovering the same as in the case of any city rate.

(6)

(6) Premises shall be deemed to be fronting, adjoining, or abutting on a way, notwithstanding that the said premises have no beneficial use of the levelling, paving, macadamising, draining, or completing of the said way.

8. The Principal Act is further amended—

Amendment of Principal Act. Sec. 84.

(a) by omitting from subsection one of section eighty-four the words "city surveyor" and inserting in lieu thereof the words "city building surveyor";

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

(2) If such owner or tenant does not comply with the requirements of such notice within the time therein specified, to the satisfaction of the said surveyor, the said surveyor may cause all or so much of such required works, as he may deem necessary, to be done, and all the expenses thereof shall be paid by the owner or tenant to the council. For the purposes of this section or for any of the other purposes of this Act, or whenever otherwise he deems it necessary, the city building surveyor or the city surveyor may close any street or portion of a street in the city for such time as he thinks fit.

Demolition of dangerous walls.

9. The Principal Act is further amended—

Amendment of Principal Act. New sections.

(1) by inserting the following sections next after section one hundred and nine :—

109A. The council may set apart any part of any public way vested in it, or under its control, for the purpose of laying out, constructing, and maintaining thereon gardens, lawns, plantations, or other ornamental features, and for those purposes may enclose any such part or indicate the boundaries thereof with boundary erections or otherwise.

Power to lay out plantations, &c., on public ways.

109B.

109B. (1) Except under statutory authority, ^{Footways and crossings.} no person other than an employee of the council, or a person acting under the authority of the council, shall take up, relay, or otherwise interfere with any of the footways or crossings of any public way in the city.

(2) Any person who commits a breach of the provisions of this section shall be liable to a penalty not exceeding *five* pounds.

109C. (1) In any case where an opening ^{Reinstatement of openings in public ways.} has been made in a public way in the city by or on behalf of any person, and the city surveyor is of opinion that —

- (a) there is delay in the refilling of the opening, or the reinstatement of the public way; or
- (b) the opening has been improperly or insufficiently filled in; or
- (c) the reinstatement has been inefficiently carried out; or
- (d) such filling in and reinstatement have not been carried out and completed with similar materials and in a similar manner to the portion of the public way adjoining the said opening so as to make the same uniform,

the city surveyor may cause such opening to be filled in and the reinstatement made or remade with such materials and in such manner as he may think fit so as to make the same uniform with the portion of the public way adjoining.

(2) The costs incurred by the city surveyor in executing any work under the power contained in subsection one hereof shall be charged against and be payable by the person by whom or on whose behalf the opening was made to the council on demand; and in default of payment the council may recover the amount from such person in any court of competent jurisdiction as a debt due by such person to the council. (3)

(3) In this section the word " person " shall be deemed to include a public authority and any company or body corporate ;

(2) in section two hundred, by inserting the following paragraph next after paragraph (m) of subsection one :—

Consequential amendment. Amendment of Principal Act. Sec. 200.

(m1) (i) the regulation and control of all gardens, lawns, plantations, and ornamental features laid out, constructed, or maintained by the council in any public way vested in the council or under its control ;

(ii) the prevention of trespass upon or damage to any part of such gardens, lawns, plantations, or ornamental features, or any trees, flowers, shrubs, or other plants growing thereon ;

10. The Principal Act is further amended by inserting in subsection five of section one hundred and ten immediately after the words " Public Instruction Act of 1880 " the words " or any playground used in connection with any such school."

Amendment of s. 110 (5) of Principal Act.

11. (1) The Principal Act is further amended—

(a) by inserting the following section next after section one hundred and forty-one :—

Amendment of Principal Act—new section.

141A. (1) The council may—

Powers of council.

(a) upon any land in the city (not being portion of a public way) now or hereafter vested in or under the control of or dedicated to the council for any purpose, including any land used as a public park, provide, erect, establish, maintain, control, and manage public gymnasia, children's playgrounds, drill grounds, sports grounds for athletics, tennis courts and recreation grounds, and may from time to time let on temporary hiring or license any such tennis court, sports or recreation ground, upon such terms and conditions as it thinks fit ;

(b)

- (b) subject to the provisions of the Metropolitan Traffic Act, 1900, the Metropolitan Traffic (Amendment) Act, 1913, and any regulations made thereunder, erect and maintain and let on lease or license, upon such terms and conditions as the council thinks fit, newspaper kiosks and stands for the purpose of selling newspapers, fruit, flowers, tobacco, or any other commodity prescribed by by-laws made in that behalf;
- (c) in any park in the city of which the council is trustee provide, erect, establish, maintain, control, and manage dressing-rooms, kiosks, refreshment rooms, conveniences, and other buildings, chairs or seats, and may let the same or any of them for such periods and upon such terms and conditions as the council may think fit.

(2) The council may defray the costs incurred in carrying out the powers and authorities conferred by this section out of the city fund;

- (b) in subsection one of section two hundred by inserting the following paragraphs next after paragraph (v) :—

Consequential amendment, Ibid. s. 200.

- (v1) the regulation, control, and management of playgrounds, gymnasia, drill-grounds, sports grounds, tennis courts, and recreation grounds which are under the control of the council;
- (v2) the regulation, control, and management of newspaper kiosks and stands erected by the council;
- (v3) the regulation, control, and management of any building erected by the council in pursuance of the powers conferred by subsection (c) of section 141A of this Act.

Consequential

Consequential amendments.

(2) The Sydney Corporation Amendment Act, Act No. 16, 1906, is amended by omitting section thirteen. 1906, s. 13.

(3) The Sydney Corporation Amendment Act, Act No. 39, 1905, is amended in subsection one of section twelve by omitting paragraph (m) as inserted by section twelve of the Sydney Corporation Amendment Act, 1906. 1905, s. 12.

12. The Principal Act is further amended—

(1) by inserting the following sections next after section one hundred and fifty :—

150A. The council may establish and maintain a system of municipal cartage from and to the council's markets, and may defray the cost thereof out of the city fund.

150B. The council may from time to time provide, erect, or place in the Town Hall, Sydney, any roll of honor, photograph, painting, decorative fixture or permanent fitting or decoration of a commemorative nature, and may defray the expenses thereof out of the city fund.

(2) in subsection one of section two hundred by inserting the following paragraph next after paragraph (y) :—

(y1) the regulation and control of municipal cartage and the fixing of fees and charges therefor ;

13. The Principal Act is further amended—

(1) by inserting the following section next after section one hundred and seventy-four :—

174A. (1) The council may establish within the city depots for the prevention of venereal disease by prophylactic treatment, and may appoint such medical officers and other skilled attendants as the council may think fit.

(2) The council may defray the costs incurred in the exercise of any of the powers and authorities conferred by this section out of the city fund ;

(2)

(2) by inserting in section one hundred and seventy-five the following paragraph next after paragraph (j) :— Consequential amendment. Ibid. s. 175.

(k) regulating and controlling the maintenance and management of prophylactic depots, and prescribing and regulating the duties of medical officers and attendants therein.

14. The Principal Act is further amended by inserting the words "or town clerk" after the word "mayor" in subsection four of section one hundred and ninety. Ibid. s. 190.

15. The Principal Act is further amended in subsection one of section two hundred by inserting the following paragraphs next after paragraph (n) :— Ibid. s. 200.

- (n1) licensing premises used for or in connection with the storage, sale, conveyance, disposal, or delivery of meat, fish, oysters, or crustacea ;
- (n2) licensing, controlling, and regulating barbers and hairdressers' shops in the city ;

16. The Principal Act is further amended by the insertion of the following section next after section two hundred and thirteen :— Amendment of Principal Act. New s. 213A.

213A. (1) Any servant of the council or member of the police force who finds a person committing a breach of the provisions of this Act or of the by-laws made hereunder shall— Demanding name of offender. cf. Local Government Act, 1919, s. 644.

- (a) demand from the person his name and place of abode ; and
- (b) report the offence and the name and place of abode of the person to the council as soon as may be practicable.

(2) Any person who upon demand made as aforesaid—

- (a) refuses to state his name or place of abode ; or
- (b) states a name or place of abode which in the opinion of the servant of the council or the member of the police force making the demand is false,

may without any other warrant than this Act be apprehended by the servant of the council or by the member of the police force and taken before any court of summary jurisdiction, there to be dealt with according to law. (3)

(3) Any person who upon demand made as aforesaid—

(a) refuses to state his name or place of abode; or

(b) states a false name or place of abode, shall be liable to a penalty not exceeding *ten* pounds.

17. The Principal Act is further amended by inserting the following sections next after section two hundred and seventeen :—

Amendment of Principal Act
New sections.

218. The council may, by its officers, employees, or workmen enter upon any lands, whether public or private, in the city for purposes connected with the construction, maintenance, or renewal of stormwater drains :

Power of entry on private lands to construct stormwater drains.

Provided that in the exercise of the powers conferred by this section the council shall cause as little detriment and inconvenience and do as little damage as possible and shall make full compensation to persons for damage sustained by them by reason or in consequence of the exercise of such powers. The amount of such compensation shall, in case of disagreement, be determined by arbitration or by action at law at the election of the party aggrieved :

Provided further that the council may in all cases set up by way of defence or in mitigation of damages, as the case may be, that the person claiming compensation has by his own act, neglect, or default caused or contributed to the damage in respect of which he claims to be compensated.

219. (1) The council may enter into agreements with the councils of any areas constituted under the Local Government Act, 1919, and adjoining the city for the carrying out jointly of works or undertakings authorised by any Act, or for the joint performance of duties or exercise of powers under any Act for the mutual benefit of the city and such area.

Joint action by council with councils of other areas.
cf. Local Government Act, 1919, s. 521.

(2) Such agreements may provide for the control, regulation, maintenance, and management of such works and undertakings, or for the control, regulation, and management of the performance of such

such duties, or exercise of such powers either by the councils themselves jointly or by a joint committee composed of members of the councils.

(3) The council may in such agreements delegate to such committee such of its powers as are specifically mentioned therein.

220. (1) The council may, with the approval of the Governor, enter into agreements with the council of any area constituted under the Local Government Act, 1919, and adjoining the city for the alteration of boundaries between the city and any such area by taking part or parts of the city and adding the same to the area, or vice versa.

Agreements to alter boundaries.

(2) Upon any such agreement being entered into the Governor shall, by proclamation published in the Gazette, set forth—

- (a) in Schedule A to such proclamation, the amended boundaries of the city, so as to include therein or exclude therefrom, as the case may be, any land added to or taken from the city in pursuance of any agreement referred to in the last preceding subsection. Such amended boundaries shall take the place of the boundaries set out in any prior Act or proclamation ;
- (b) in Schedule B to such proclamation, the amended boundaries of any ward or wards of the city, so as to include therein or exclude therefrom, as the case may be, any land or portion thereof added to or taken from the city as aforesaid ;
- (c) in Schedule C to such proclamation, the boundaries of the land so added to or taken from the city as aforesaid.

(3) The boundaries set forth in Schedule A to such proclamation shall be the boundaries of the city, and where reference is made to the city in this Act, or in any Act, by-law, or regulation in force at the date of such proclamation, the same shall be deemed to refer and shall apply to and have operation within the city as bounded in manner set forth in the said schedule.

(4)

(4) The boundaries set forth in Schedule B to such proclamation shall be the boundaries of the ward or wards therein named.

221. (1) In the following cases, that is to say, in any case where under the provisions of any Act, regulation, or by-law the council—

Charges and fees fixed by by-law or resolution.

- (a) supplies any service product or commodity ; or
- (b) makes any registration ; or
- (c) grants any license ; or
- (d) gives any permission ; or
- (e) furnishes any information ; or
- (f) admits to any building or enclosure ; or
- (g) receives any application for its approval,

cf. Local Government Act, 1919, s. 167.

the council may fix charges or fees therefor by by-law or resolution, and may demand and recover such charges and fees.

(2) In any such by-law or resolution provision may be made requiring a deposit or prepayment in respect of such charge or fee.

(3) This section shall be deemed to include the supply of any service product or commodity to the Crown.

(4) Nothing in this section shall authorise any charge or fee contrary to the provisions of any Act, regulation, or by-law.

222. (1) It shall be lawful for the council at any time to accept upon deposit any sum or sums of money offered to it for any term not exceeding two years, and to pay interest thereon at the rate to be fixed from time to time by the council, or such lesser rate as may be agreed upon between the council and the person making such deposit. The city treasurer shall furnish the council at least once in every month with a list showing the amounts so deposited.

Power to accept money on deposit.

(2) The council may make by-laws for the purpose of carrying out the provisions of this section, and for giving effect to the powers and authorities herein conferred.

Amendment

Amendment of Sydney Corporation Amendment Act, 1905.

18. Subsection one of section twelve of the Sydney Corporation Amendment Act, 1905, as amended by section twelve of the Sydney Corporation Amendment Act, 1906, is amended as follows:—

- (a) by adding the following words at the end of paragraph (h):—"and prescribing rules to be observed by persons occupying such stands and stalls (including rules for securing the cleanliness of carts, trucks, barrows, baskets, boxes, and crates used by such persons, and the wholesomeness and cleanliness of the commodities sold or offered or exposed for sale), and with respect to the conduct of such persons";
- (b) by the addition of the following paragraphs:—
 - (n) requiring and regulating the provision and maintenance of baths and wash-tubs in dwelling-houses in the city;
 - (o) regulating and prohibiting the use for habitation of rooms built below the level of the footways of public ways in the city;
 - (p) regulating, controlling, and prohibiting the stacking or storing of timber, fire-wood, casks, barrels, and other inflammable material;
 - (q) regulating and prohibiting private tips or dumps for spoil or refuse;
 - (r) requiring and regulating the removal of spoil or other waste material by owners, lessees, or occupiers;
 - (s) requiring and regulating the fencing of vacant lands to prevent unsightly or insanitary conditions arising by the dumping of spoil and refuse thereon;
 - (t) requiring and regulating the cleansing of facades of buildings fronting a public way in the city;
 - (u)

- (u) regulating the floor space and size of rooms in flats in the city ;
- (v) regulating and controlling the construction, maintenance, and repair of awnings in the city ; and in particular and without limiting the general power in that behalf herein conferred—
 - (i) prescribing the type or types of awnings and the materials to be used therein ;
 - (ii) regulating the position of awnings ;
 - (iii) permitting, regulating, or prohibiting the display of advertisements on awnings ;
 - (iv) providing for the display of public notices on awnings ;
 - (v) prohibiting persons from erecting awnings without first obtaining the approval in writing of the city building surveyor and the city surveyor ;
 - (vi) requiring the removal of awnings, prescribing the circumstances in which the council may require the removal of awnings, and providing for removal of such awnings by the council at the expense of any person failing to comply with any such requirement ;
- (w) regulating and controlling the display of bills, placards, and advertisements in the city, and prohibiting persons from displaying or causing to be displayed in the city any bills, placards, or advertisements in places not appointed by the council for the purpose.

19. Section sixteen of the Sydney Corporation Amendment Act, 1905, is amended by inserting after the words "and any land required" the words "for the purpose of children's playgrounds, or." Amendment of s. 16 of Sydney Corporation Amendment Act, 1905.

20. Section twenty of the Sydney Corporation Amendment Act, 1905, is amended by omitting paragraph (e). Amendment of s. 20 Ibid.

21.

21. The Sydney Corporation Amendment Act, 1905, is amended by the insertion next after section twenty of the following new section :—

Amendment of Sydney Corporation Amendment Act, 1905. New section.

20A. With respect to any land now or hereafter to be vested in the council under the authority of this Act, or of any Act amending the same, the following provisions shall apply :—

Registrar-General to grant certificates of title in respect of resumed properties.

- (1) In case of resumption, a copy of the Gazette notification declaring such land to be so resumed, certified under the seal of the council, shall be lodged with the Registrar-General, who shall, upon the application of the council, thereupon issue to the council a certificate of title under the Real Property Act, 1900, to the land described in the notification, without causing any examination or report to be made as to the title to such land and without considering such title. No contribution to the assurance fund shall be payable under the Nineteenth Schedule to the said Act, upon the issue of any such certificate.

- (2) In dealing with such application it shall not be necessary to locate the boundaries of the Crown grants (if any) of any such land, but it shall be sufficient if the Registrar-General is satisfied with respect to any certificate of title proposed to be issued by him under this Act in respect of any such land that the said land is included in the land vested as aforesaid. The land may in such certificate of title be described in the terms of or by reference to the notice of resumption.

22. Section twenty-two of the Sydney Corporation Amendment Act, 1905, is amended as follows :—

Amendment of Sydney Corporation Amendment Act, 1905, s. 22.

- (1) In subsection one, by the insertion of the following new paragraph :—

- (i) exchange the whole or any portion of any such land for any other land, upon such terms and conditions as the council may deem fit, including the payment or receipt

Power to exchange lands.

receipt of money for equality of exchange: Provided that no such exchange as aforesaid may be made by the council unless the Governor's approval of the proposed exchange and of the terms and conditions thereof has been first obtained.

(2) In subsection two, by the insertion immediately after the word "sold" of the words "or exchanged."

23. (1) Paragraph (c) of section twenty-three of the Sydney Corporation Amendment Act, 1905, is amended by omitting the words "and be signed by the Lord Mayor and Town Clerk and countersigned by the City Treasurer" and inserting the words "and be signed by the City Treasurer and either the Lord Mayor or the Town Clerk." Amendment of Act 39 of 1905, s. 23.

(2) The Schedule D1 to the Sydney Corporation (Amendment) Act, 1917, is omitted, and the following Schedule is inserted in the Sydney Corporation Amendment Act, 1905, immediately after Schedule D to that Act. Consequential amendment, Act 22, 1917, Schedule.

SCHEDULE D1.

No. Series Debenture £
Issued by the Municipal Council of Sydney under the provisions of the Sydney Corporation Amendment Act, 1905 (as amended by the Sydney Corporation (Amendment) Act, 1917).

Transferable by Delivery.

This Debenture was issued by the Municipal Council of Sydney in pursuance of the provisions of the abovementioned Acts, and is to secure to the bearer a total sum of £ payable by equal yearly (half-yearly) sums of £ payable at the Town Hall, Sydney, on the day of in each year up to and inclusive of the year 19 .

Interest upon the principal sum originally lent to the said council is provided for in such payments.

Dated this day of A.D.

(L.S.) Lord Mayor. City Treasurer.
Town Clerk.

Entered at the office of the City Treasurer in Register of Debentures, folio

City Treasurer.
Amendment

Amendment of City of Sydney Improvement Act, 1879.

24. Section twenty-two of the City of Sydney Improvement Act, 1879, is amended by the omission of the words "the surveyor" and the insertion in lieu thereof of the words "by the surveyor, he or any officer authorised to act on his behalf for this purpose."

Amendment of City of Sydney Improvement Act, 1879, s. 22. Collection of building fees.

Extension of city.

25. (1) The land described in the Schedule to this Act shall be included within and form part of the city, and shall be subject to any Acts, by-laws, and regulations affecting the city.

Certain land included within the city.

(2) The land so included in the city as aforesaid shall form part of Camperdown ward of the city.

26. (1) The Governor shall, by proclamation published in the Gazette, set forth—

Boundaries of the city.

(a) in Schedule I to such proclamation the extended boundaries of the city so as to include therein the land described in the Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule A to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine;

(b) in Schedule II to such proclamation the extended boundaries of Camperdown ward so as to include therein the land described in the Schedule to this Act, and such boundaries shall take the place of the boundaries set out in Schedule B to the proclamation made in pursuance of section fourteen of the Sydney Corporation (Amendment) Act, 1908, and published in the Government Gazette number one hundred and twenty, of the eighth day of September, one thousand nine hundred and nine.

The proclamation to be made in pursuance of this section may be made and published at any time after the passing of this Act. (2)

(2) The boundaries set forth in Schedule I to the proclamation to be made in pursuance of this section shall be the boundaries of the city, and where reference is made to the city in this Act, or in any Act, by-law, or regulation in force at the commencement of this Act, the same shall be deemed to refer and shall apply to and have operation within the city as bounded in manner set forth in such Schedule.

(3) The boundaries set forth in Schedule II to the proclamation to be made in pursuance of this section shall be the boundaries of Camperdown ward.

THE SCHEDULE.

Land included in the city.

ALL that piece or parcel of land situate in the parish of Petersham, county of Cumberland, and State of New South Wales, being part of Newtown-road (late City-road): Commencing at the intersection of the centre of George-street West with the centre of Bay-street; and bounded thence westerly by part of the southern boundary of the municipality of Glebe to its intersection with the centre of Newtown-road (late City-road); thence south-westerly by the centre of that road by the boundary of the city of Sydney, as proclaimed in Government Gazette of the eighth day of September, one thousand nine hundred and nine, to its intersection with the centre of Cleveland-street; thence easterly by part of the northern boundary of the municipality of Darlington along the centre of that street to its intersection with the prolongation south-westerly of the south-eastern building-line of Newtown-road aforesaid; thence north-easterly by that prolongation and that building-line of Newtown-road to the southern building-line of George-street West aforesaid; and thence again north easterly by a line to the point of commencement.
