

WARDELL ROAD TO DARLING
ISLAND RAILWAY
DEVIATION (TUNNELS) ACT.

Act No. 8, 1916.

An Act to authorise the acquiring of an easement or right of using the subsoil of land, and to make further provision with regard to any nuisance by blasting or otherwise in the construction of the works authorised by the Wardell Road to Darling Island Railway Deviation (Rozelle Bay to Pyrmont) Act, 1915, and for purposes consequent thereon or incidental thereto; and to amend the Public Works Act, 1912, and other Acts. [Assent^d to, 7th April, 1916.]

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BE 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 may be cited as the "Wardell Road to Darling Island Railway Deviation (Tunnels) Act, 1916." short title.

2. In relation only to the acquisition of land required for any work authorised by the Wardell Road to Darling Island Railway Deviation (Rozelle Bay to Pyrmont) Act, 1915, the following amendments are made in the Public Works Act, 1912:—

(a) The following section is inserted next after section four of the said Act:—

4A. The provisions of this Act relating to the acquisition of land shall also apply to the acquisition of an easement or right to use the subsoil or under the surface of land, whether such easement or right is acquired separately from or together with any land. (b)

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Notice of
intention to
blast not
necessary.

(b) Section one hundred and thirty-eight is amended by adding thereto the following:—

“ Provided that where an easement beneath the surface or a right of using the subsoil or under-surface of any land is taken, such easement or right shall not be deemed part of a house, or other building, or manufactory ”.

3. Notwithstanding any provision in any Act to the contrary, it shall not be necessary for the Constructing Authority to give any notice of his intention to blast any rock, nor shall he be liable to have an injunction issued to restrain him from causing or continuing to cause any nuisance by such blasting or by any other operation necessary or proper in connection with the construction of the said work.