

# General Post Office (Approaches Improvement) Act Further Amendment Act 1901 No 39

[1901-39]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 November 1901 to 6 December 2007 (accessed 23 November 2024 at 9:49)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by Part 4 of Sch 5 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2007 No 82](#) with effect from 7.12.2007.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 7 December 2007

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# General Post Office (Approaches Improvement) Act Further Amendment Act 1901 No 39



New South Wales

An Act further to amend the *General Post Office (Approaches Improvement) Act 1889*, and the *General Post Office (Approaches Improvement) Act Amendment Act 1892*; to rectify the boundaries of Martin-lane; also to carry out an exchange of certain land abutting on such lane for other land at the intersection of George-street with Martin-place, to be dedicated as a public thoroughfare; and for other purposes.

## Preamble

WHEREAS it is enacted by the *General Post Office (Approaches Improvement) Act 1889*, that certain lands in the city of Sydney therein described shall be vested in the Minister for Public Works and his successors as a corporation sole on behalf of Her late Majesty for an absolute estate in fee-simple in possession, and that such lands may after the formation of a public street be sold by public auction: And whereas it is enacted by the *General Post Office (Approaches Improvement) Act Amendment Act 1892*, that certain portions of land described in the First Schedule thereto are thereby dedicated to public use as a public thoroughfare under the designation of Martin-land: And whereas parts of the land vested in the said Minister under the Act first hereinbefore recited have been sold and transferred under the Real Property Act to the Bank of Australasia: And whereas a subway leading from and reserved for the use of the General Post Office has been constructed partly through and under portion of the land sold to the said bank and opening into Martin-lane aforesaid: And whereas the boundary line of Martin-lane at and about the point where the entrance to the said subway opens out upon the same is irregular and inconvenient for building purposes and ought to be rectified: And whereas the said bank is willing to surrender for use as a public thoroughfare a portion of the land sold to it as aforesaid and situate at the intersection of George-street with Martin-place in exchange for a portion of land partly included in and partly abutting on Martin-lane at and about the entrance to the said subway, and it is expedient that the proposed exchange should be carried into effect:

Be it therefore 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 Name of Act

This Act may be cited as the *General Post Office (Approaches Improvement) Act Further Amendment Act 1901*.

## 2 Definitions

In this Act:

**Principal Act** means the *General Post Office (Approaches Improvement) Act 1889*.

**Amendment Act** means the *General Post Office (Approaches Improvement) Act Amendment Act 1892*.

## 3 Repeal

So much of the Principal Act and the Amendment Act as is inconsistent with this Act is hereby repealed.

## 4 Subway validated

The construction of the said subway is hereby authorised and validated.

## 5 Rectification of boundaries of Martin-lane

(1) The First Schedule to the Amendment Act is hereby amended by substituting the description of the amended boundaries of Martin-lane set forth in Schedule A to this Act in lieu of the description of the boundaries of Martin-lane set forth in the First Schedule to the said Amendment Act.

(2) This section shall take effect and be construed as if it had been enacted immediately after the passing of the Amendment Act.

## 6 Land in Schedule B vested in the bank, reserving subway for Post Office

All that portion of land described in the Schedule B to this Act shall be and is hereby vested in the Bank of Australasia and its successors for an estate in fee-simple in the same manner and to the same extent as if it had been included in the memorandum of transfer to the said bank under the Real Property Act and had passed thereunder, but reserving unto His Majesty the King the exclusive use and enjoyment of the subway constructed through the said land extending to Martin-lane from the face of the now existing retaining wall on the north side of Martin-place in a direction at right angles to and across the pavement and across portion of the land sold to the bank and underneath the same, together with the right to His Majesty to do all things necessary in connection with the repair and maintenance of such subway.

## 7 Lands described in Schedule C dedicated as a public thoroughfare

From and after the commencement of this Act all that portion of land described in

Schedule C to this Act shall be and is hereby dedicated to public use as a public thoroughfare to form part of George-street and Martin-place, and shall, upon the publication in the Gazette of a proclamation by the Governor, become vested in the Municipal Council of the City of Sydney in the same manner and subject to the same conditions and obligations as in the case of other public highways of the said city.

### **8 Authority to Registrar-General to amend deposited plan and certificates of title**

It shall be lawful for the Registrar-General to amend the deposited plan which has been lodged by the Minister in respect of the subdivision of Crown land in Martin-place and Martin-lane for the purpose of rectifying the boundaries shown thereon in accordance with this Act; also to call in and cancel any certificates of title issued in favour of the said Bank of Australasia in respect of the lands sold and transferred to the bank as aforesaid, and to issue to the said bank one or more certificates of title in lieu thereof amended in accordance with the provisions of this Act.

### **Schedule A Martin-lane as rectified**

All that piece or parcel of land situated in the city of Sydney, in the parish of Saint James, county of Cumberland, and State of New South Wales, containing by admeasurement thirty-three and a quarter perches and extending, not less than twenty feet wide throughout, from the eastern building line of George-street to the western building line of Pitt-street within the following boundaries: Commencing at a point on the eastern building line of George-street (distant north four degrees sixteen minutes twenty-two seconds west one hundred and seventy-eight feet and seven-eighths of an inch from the north-western corner of the base-course of the present structure of the General Post Office); and bounded thence on part of the west by part of the eastern building line of George-street aforesaid bearing north four degrees sixteen minutes twenty-two seconds west twenty feet and half an inch; thence on parts of the north and north-east by lines bearing successively north eighty-nine degrees twenty-eight minutes forty-three seconds east ninety-nine feet eleven inches and south fifty-eight degrees twenty-one minutes east twenty-seven feet seven and three quarters inches; thence again on parts of the north by lines bearing successively south eighty-eight degrees forty-three minutes fifty-four seconds east thirty-five feet one and three quarters inches and north eighty-six degrees fifteen minutes forty-six seconds east one hundred and ten feet five and one-eighth inches; thence on the remainder of the west by lines bearing successively north four degrees one minute east two feet and one quarter of an inch and north four degrees twenty-three minutes fifty-four seconds west ninety-two feet two and a quarter inches; thence on the remainder of the north by a line bearing north eighty-six degrees forty-eight minutes fifty seconds east eight-six feet three-and-five-eighths inches to a point on the western building line of Pitt-street; thence on part of the east by part of the western building line of Pitt-street bearing south four degrees thirteen minutes five seconds east twenty feet to another point thereon (distant north four degrees twelve minutes thirty-three seconds west two hundred and fifty feet five and a quarter inches from the north-eastern corner of the base-course of the present structure of the General Post Office); thence on part of the south by a line bearing south eighty-six degrees forty-eight minutes fifty seconds west sixty-six feet two and seven-eighths inches; thence on the remainder of the east by lines bearing successively south four degrees twenty-three minutes fifty-four seconds east seventy-three feet two and three-quarters inches and south four degrees one minute west twenty feet eleven and three-eighths inches; and thence again on the south, the south-west, and the remainder of the south by lines bearing successively south eighty-six degrees fifteen minutes forty-six seconds west one hundred and twenty-eight feet nine and one-eighth inches, south eighty-

eight degrees twenty-seven minutes forty seconds west thirty-eight feet four and one-quarter inches, north fifty-eight degrees twenty-one minutes west thirty feet eleven and one-half inches, and south eighty-nine degrees twenty-eight minutes forty-three seconds west ninety-two feet ten and one-eighth inches, to the point of commencement.

### **Schedule B Land to be vested in the Bank of Australasia subject to subway—area thirty-six square feet**

All that piece or parcel of land situated in the city of Sydney, in the parish of Saint James, county of Cumberland, and State of New South Wales, containing by admeasurement thirty-six square feet: Commencing at a point on the southern side of Martin-lane distant north eighty-nine degrees twenty-eight minutes forty-three seconds east ninety feet eight and three-eighths inches from the intersection of said southern side of Martin-lane with the eastern building line of George-street; and bounded thence on the north by a line bearing north eighty-nine degrees twenty-eight minutes forty-three seconds east two feet one and three-quarters inches; thence on the north-east by a line bearing south fifty-eight degrees twenty-one minutes east thirty feet eleven and one-half inches; thence on part of the south-west by a line bearing north sixty degrees thirty-four minutes thirty-seven seconds west three feet eleven and three-eighths inches; thence on part of the south by a line bearing north eighty-eight degrees forty-three minutes fifty-four seconds west three feet five and three-quarters inches; and thence on the remainder of the south-west by lines bearing successively north fifty-five degrees twenty-eight minutes thirty-one seconds west nineteen feet four and five-eighths inches and north sixty degrees nine minutes west six feet five and three-quarters inches, to the point of commencement.

### **Schedule C Land to be dedicated as a public thoroughfare—area, fifty-five square feet**

All that piece or parcel of land situated in the city of Sydney, in the parish of Saint James, county of Cumberland, and State of New South Wales, be the hereinafter mentioned several dimensions a little more or less, containing by admeasurement fifty-five square feet: Commencing at the intersection of the northern building line of Martin-place with the eastern building line of George-street; and bounded thence on the west by part of the said eastern building line of George-street bearing north four degrees sixteen minutes twenty-two seconds west ten feet six inches; thence on the north-east by a line bearing south forty-eight degrees forty-three minutes east fifteen feet to the northern building line of Martin-place aforesaid; and thence on the south by part of that northern building line bearing south eighty-six degrees fifty-one minutes six seconds west ten feet six inches, to the point of commencement.