

College Street Pedestrian Subway Construction Act 1950 No 42

[1950-42]



New South Wales

Status Information

Currency of version

Repealed version for 28 November 1950 to 5 January 2012 (accessed 22 December 2024 at 12:49)

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The Act was repealed by Sch 5 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2011 No 62](#) with effect from 6.1.2012.

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](#).

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Contents

Long title	3
1 Name of Act	3
2 Work sanctioned	3
3 The plan	3
4 Estimated cost	4
5 Constructing Authority not to be subject to certain restraints	4
6 Acquisition of land	4
7 Maintenance of work	4
Schedule	4

College Street Pedestrian Subway Construction Act 1950 No 42



New South Wales

An Act to sanction and to provide for the construction of a pedestrian subway under College Street in the City of Sydney; and for purposes connected therewith.

1 Name of Act

This Act may be cited as the *College Street Pedestrian Subway Construction Act 1950*.

2 Work sanctioned

(1)

- (a) The carrying out of the work described in the Schedule to this Act is hereby sanctioned.
- (b) The said work shall be deemed to be an authorised work within the meaning of the *Public Works Act 1912*, as amended by subsequent Acts.
- (c) The Commissioner for Railways is empowered to carry out the said work and shall be the Constructing Authority for the same within the meaning of the said Act, as so amended, and shall enter into such contracts and take all such necessary steps for the proper execution thereof as such authority may think proper.
- (d) The provisions of the *Public Works Act 1912*, as amended by subsequent Acts, sections thirty-four, thirty-five, thirty-six, thirty-seven, eighty-six, eighty-seven, eighty-eight and eighty-nine excepted, shall apply to and in respect of the said work.

(2) Without prejudice to the generality of subsection one of this section the provisions of section thirty-eight of the *Public Works Act 1912*, as amended by subsequent Acts, shall apply to and in respect of any contracts referred to in paragraph (c) of subsection one of this section.

3 The plan

The plan of the said work is the plan marked “College Street Pedestrian Subway” signed by the Commissioner for Railways and countersigned by the Chief Civil Engineer of the

Department of Railways and deposited in the office of the Commissioner for Railways.

4 Estimated cost

The cost of carrying out the said work is estimated at twenty-three thousand pounds and such estimated cost shall not, under any circumstances, be exceeded by more than ten per centum.

5 Constructing Authority not to be subject to certain restraints

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 any injunction restraining 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 be issued against him.

6 Acquisition of land

The Constructing Authority shall construct the said work in accordance with the plan referred to in section three hereof or as near thereto as may be but notwithstanding any provisions in any Act to the contrary it shall not be necessary for the Constructing Authority before commencing, continuing or completing the said work to acquire any title, right or easement in respect of any land in, on, over or under which the said work may be constructed.

7 Maintenance of work

Upon the completion thereof the said work shall be under the control, management and direction of the Department of Road Transport and Tramways.

As from a day to be appointed by the Governor and notified by proclamation published in the Gazette the control, management and direction of the said work shall be divested from the said Department and shall vest in the Council of the City of Sydney which shall at its own expense be responsible for maintaining, cleaning and lighting the said work.

Schedule

(Section 2)

A subway situated under College Street connecting the north-east corner of Hyde Park to the north-west end of St. Mary's Road, 8 feet wide with a clear height of 8 feet, constructed entirely of concrete with a reinforced roof, the side walls lined with tiles and the floor with 1-inch bitumen finish. Lighting and drainage to be provided. Stairways to be provided at both ends to give easy access. The subway, stairways and roof to be adequately waterproofed; footpath space will be left at both entrances for pedestrian traffic. The total length of the subway will be 140 feet, with stairways at each end about 28 feet long, and subject to such diversions and modifications as may be considered desirable by the Constructing Authority.