

## MIDDLE HARBOUR (THE SPIT) BRIDGE ACT.

Act No. 24, 1923.

**George V,** An Act to authorise the construction by the Sydney  
**No. 24.** Harbour Trust Commissioners, on behalf and  
at the expense of the Council of the  
Municipality of Manly, of a Bridge across  
Middle Harbour at The Spit; to amend the  
Sydney Harbour Trust Act, 1900, and the  
Local Government Act, 1919; and for pur-  
poses connected therewith. [Assented to,  
5th December, 1923.]

**B**E 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:—

Short title. **1.** This Act may be cited as the “Middle Harbour  
(The Spit) Bridge Act, 1923.” **2.**

**2.** In this Act, unless a contrary intention appears,— **George V,**

“Minister” means the Secretary for Public Works. **No. 24.**

“Prescribed” means prescribed by regulations under this Act. **Definitions.**

“The council” means the council of the Municipality of Manly.

“The Trust” means the Sydney Harbour Trust Commissioners.

**3.** The council is hereby authorised and empowered to construct a timber bridge with the necessary approaches over Middle Harbour at The Spit. **Authority to construct bridge.**

**4.** (1) The said bridge shall be constructed by the Sydney Harbour Trust Commissioners in accordance with plans and specifications to be supplied by the Trust and approved by the council. **Plans, &c.**

(2) The funds required in constructing the bridge shall be supplied to the Trust by the council.

(3) The remuneration to be paid to the Trust for constructing the bridge, and the amount of and times for payment of the necessary advances to the Trust, shall be as agreed upon between the Trust and the council.

**5.** (1) For the purposes of the work the council shall have all the powers of a council under the Local Government Act, 1919, and such powers may be exercised if necessary outside the municipality of Manly. **Powers.**

(2) Any land necessary for the work may be acquired under the provisions of sections five hundred and thirty-two, five hundred and thirty-five, and five hundred and thirty-six of the Local Government Act, 1919.

**6.** (1) The council may raise a special loan to defray the cost of constructing the bridge and of the land acquired in connection therewith. **Loan.**

(2) The amount of the loan shall be approved by the Governor.

(3) Notwithstanding anything contained in the Local Government Act, 1919, it shall not be necessary to take a poll of ratepayers before raising the loan, or to otherwise comply with the provisions of the said Act in respect of the loan except as herein provided.

(4)

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(4) The council may charge the revenue received from tolls or charges with the repayment of the loan.

(5) Any loan obtained by the council under this Act shall not be taken into account for the purpose of ascertaining the limit to which the council may borrow under the Local Government Act, 1919.

**Tolls.**

**7.** The council may levy tolls and charges in connection with traffic across the bridge; the amount of the tolls and charges and the method of collection shall be as prescribed.

**Cost.**

**8.** The council shall, if and when required by the Minister, supply all accounts, particulars, and other information at its disposal to enable him to ascertain the total amount to be expended by the council in carrying out the provisions of this Act with regard to the construction of the bridge, the acquisition of land in connection therewith, or any other matter relating thereto.

**Sinking fund.**

**9.** The council shall establish a sinking fund for the purpose of extinguishing the liability on the loan within twenty years with interest at a rate not exceeding six per centum per annum.

**Application  
of tolls, &c.**

**10.** All moneys received from tolls or charges imposed under this Act shall be paid into a special bank account to be kept by the council, and shall be applied in the first place towards the cost of maintaining and repairing the bridge and the collection of the tolls and charges, and in the next place towards the instalments necessary to maintain the sinking fund. Any surplus received by the council shall be applied as the Governor may direct towards repayment of the loan or the cost of the maintenance and repair of the bridge.

**Bridge to be  
a national  
work after  
repayment of  
loan, &c.**

**11.** (1) When the Governor is satisfied that all moneys expended by the council upon the construction of the bridge, the acquisition of land in connection therewith, the repair and maintenance of the bridge, the costs of collection of the tolls and charges, and the interest, costs, charges, and expenses of the loan and of all matters incidental to the carrying out of the purposes of this Act, have been fully repaid out of the tolls and charges collected, he shall cause a notification to that effect to be published in the Gazette.

(2)

- (2) Thereupon—
- (a) any regulations made under this Act imposing tolls and charges shall be revoked; and the provisions of this Act authorising the imposition of tolls and charges shall cease to have effect;
  - (b) the bridge shall be and become a national work within the meaning of the Local Government Act, 1919.

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**12.** (1) The Governor may make regulations for Regulations, and with respect to—

- (a) prescribing the amounts of the tolls and charges to be imposed by the council;
- (b) the control, management, maintenance, and protection of the bridge and its approaches;
- (c) the regulation, restriction, or suspension of the use by the public of the bridge and its approaches;
- (d) the carrying out the provisions of this Act.

(2) The regulations may impose a penalty not exceeding fifty pounds for any breach thereof. Any such penalty may be recovered in a summary manner before a stipendiary or police magistrate or any two justices in petty sessions.

(3) The regulations shall—

- (i) be published in the Gazette;
- (ii) take effect from the date of publication or from a later date to be specified in the regulations; and
- (iii) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is then in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.