

What did the Magistrate say?—He said Cook Street could not be closed. He said he agreed to Pitt Street being closed if a subway was provided, but at the same time he said that Cook Street could not be closed.

But there has been nothing done subsequent to the last Proclamation?—No.

The last Proclamation was in 1912?—That is so. That step could be taken without any Proclamation at all.

Which step could be taken?—If you will look up the Municipal Corporations Act you will see all the steps there that are necessary to take.

But you will find that the Railway Department has certain expressed powers in regard to land which may be taken, and a street can be closed subject to the Municipal Corporations Act?—I do not wish to lay down the law about these things, but the provisions of the Municipal Corporations Act are perfectly clear. The whole question of the closing of a street rests with the Corporation. The Borough Council has, in the first place, to agree to the closing, and then has to call a public meeting. If that public meeting agrees to the closing of a street, then it can be closed provided there are no dissentients. If anybody objects he can apply to the Magistrate; the Magistrate then gives a decision, and upon that decision depends the question of whether the street shall be closed or not.

Then I take it there was very little use taking the land you acquired unless you secured the closing of Cook Street?—The land could be made some use of, but very little use, unless Cook Street was closed.

Did the Department take any steps to secure the closing of Cook Street before it acquired the land?—It negotiated with the Borough Council.

Did it get the consent of the Borough Council?—Yes, the Borough Council said that it as a Council was quite willing that the street should be closed.

And I suppose it is correct to say that the closing of Cook Street, and possibly West Street, would be essential to any effective improvement?—Any temporary scheme, yes.

Is there any possibility of anything but a temporary scheme?—In my opinion, no.

You prepared certain plans which you submitted to this Commission on the first day showing certain other proposals than the present deviation—the proposals marked red and green?—Yes.

When were those prepared?—In 1919, along with the report you have referred to.

What was the object in preparing the plans?—It is explained in the report itself.

To show that there was no other possible way than the deviation—is that so? What I want to put to you is this: it means that there was no object in putting in plans with the idea of setting up ninepins to knock them down again?—If you will let me see my report I will show you why the plan was prepared. It is perfectly clear as far as I can make it so. I stated as follows: "To deal with the passenger traffic properly without unduly hampering the traffic in Main Street I am satisfied that this street opposite the station building and at the approaches thereto should not be less than 100 ft. wide. The necessary accommodation cannot satisfactorily be provided in a building of less than 50 ft. wide, and the main platform should not be less than 30 ft. wide. These widths I consider the minimum possible. On a print of the draft rearrangement plan (No. 26630) which has been prepared I have shown the effect of providing the widths suggested in different ways: (a) (red lines), by encroaching on the land occupied by the railway-station; (b) (green lines), by the purchase of land on the opposite side of Main Street." That explains why that plan was prepared.

These were alternative proposals, and you showed they were unsuitable?—They were alternative proposals for obtaining the widths of the building, the width of the street, and the width of platform which I considered the minimum possible.

You prepared those plans and were satisfied that there were grave difficulties attendant on both those proposals?—I went on to say in my report—"If the former method (the red-line method) were adopted comparatively little land would be available for sidings, sheds, &c. In the latter method (the green-line method) a very large expenditure in the purchase of property would be involved."

One meant the taking of Main Street, and the other did not?—That is so.

And you indicated that in the green scheme you would have to take an area of Main Street, which was very valuable on account of there being so many buildings on it?—Yes.

Was it proposed then to divert Main Street?—That is the reason for it.

Where would you divert Main Street to in that case?—Opposite the station.

Whereabouts would you divert it?—I explained in my evidence that it would probably be somewhere towards Andrew Young Street and along to beyond Short Street.

That would involve the station remaining where it was. You were quite satisfied that neither of those schemes would be satisfactory, is that so?—I reported so in my memorandum.

And you were satisfied that no other proposal could be given effect to with any value than the deviation you proposed?—I placed before the General Manager the various proposals which seemed to me possible, and of the three proposals which I submitted I recommended the deviation as being in the best interests of every one concerned.

And the three proposals you put before the General Manager were the only three proposals that you thought feasible?—Yes.

And two of the proposals were the green and red schemes?—I do not quite gather the meaning of your question.

I am saying that you said you put before the General Manager the only three proposals which you considered were in any degree feasible?—The three proposals which I considered would be possible.

The red proposal and the deviation?—That is so.