

Hon. Sir J. G. Ward.

BLUFF HARBOUR FORESHORE RECLAMATION AND LEASING AND BORROWING.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to empower the Bluff Harbour Board to reclaim from the Waters of the Bluff Harbour part of the Foreshore of the said Harbour, and to lease the Lands so reclaimed, and to borrow the Sum of Fifty Thousand Pounds, and for other Purposes.

Title.

WHEREAS it is desirable to empower the Bluff Harbour Board from time to time to reclaim from the waters of the Bluff Harbour the parcels of land described in the Schedule hereto, being part of the foreshore of the said Bluff Harbour, and to authorise the Governor in Council to grant to the Board the said lands as and when reclaimed, and to empower the Board from time to time to lease the lands so reclaimed and granted, and also to borrow the sum of fifty thousand pounds for the purpose of effecting such reclamation and for the purposes incidental thereto, and for other purposes:

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Bluff Harbour Fore-shore Reclamation and Leasing and Borrowing Act, 1902."

Short Title.

2. In this Act, if not inconsistent with the context, the words,—

Interpretation.

"The Board" mean the Bluff Harbour Board constituted by and under "The Harbours Act, 1878":

"The Act" mean and include "The Harbours Act, 1878," and the several Acts amending the same.

2 *Bluff Harbour Foreshore Reclamation and Leasing and Borrowing.*

Bluff Harbour Board may reclaim lands described in the Schedule.

3. It shall be lawful for the Board from time to time, in such parts or subdivisions as it shall think fit, to reclaim from the waters of the Bluff Harbour the parcels of land described in the Schedule hereto, and for that purpose to dredge and deepen the said harbour, and use the material thereby obtained in effecting such reclamation.

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Governor in Council may grant to the Board lands as and when reclaimed.

4. It shall be lawful for the Governor in Council, in the name and on behalf of His Majesty, from time to time to grant to the Board the said parcels of land, or any parts or subdivisions thereof, as and when the same shall respectively be reclaimed from the waters of the Bluff Harbour aforesaid.

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Board may lease lands so reclaimed and granted.

5. It shall be lawful for the Board from time to time to lease by public auction or public tender, at an upset rental to be fixed by the Board, the said parcels of land, or any part or subdivision thereof, after the same shall have been so reclaimed and granted as aforesaid, for any term of years not exceeding fourteen years, to take effect in possession and upon and subject to such terms and conditions as the Board may think fit; and the Board may in such lease covenant to grant renewals from time to time for a period not exceeding fourteen years for each renewal, but at a rent to be fixed by valuation or arbitration. Any such lease may provide for the payment by the incoming tenant of the value of any improvements theretofore made upon the land by the outgoing tenant, or any former tenant; and any such lease may also provide that the incoming tenant of the said lands, or any part or subdivision thereof, shall not be allowed to enter into possession thereof or any part thereof until he shall have paid to or secured to the satisfaction of the outgoing tenant the amount of valuation (if any) of the improvements to be paid to such outgoing tenant.

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Rent to form part of Harbour Fund.

6. The rents and profits which may arise from the lease of any land under this Act shall form part of the Harbour Fund, and be applied accordingly, and may be applied in repayment of any loans of the Board by means of a sinking fund or otherwise.

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Board may borrow £50,000.

7. The Board may, subject to the provisions of the Act, borrow and take up at interest any sum of money, not exceeding in the whole the sum of fifty thousand pounds, in addition to the sum of fifty thousand pounds already raised and borrowed under "The Bluff Harbour Endowment and Borrowing Act, 1877," and the Act, for the purpose of effecting such reclamation, and for purchasing any dredge, plant, or machinery that the Board may deem requisite for the purpose of dredging and deepening the said harbour and obtaining therefrom or elsewhere material for the purpose of such reclamation. But no money shall be borrowed under the authority of this Act at a higher rate of interest than five pounds per centum per annum, nor shall any debenture be sold at a less price than par, anything in the Act notwithstanding.

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Interest not to exceed £5 per centum per annum.

Conditions of borrowing.

8. The power given to the Board in and by the last preceding section shall be exercised in the manner and subject to the conditions prescribed by the Act; and the provisions of the Act for the repayment of loans and the remedies of debenture-holders, and such further and other provisions of the Act for the protection of such debenture-holders as shall be applicable, shall be and be deemed to be incorporated herein.

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9. This Act shall be deemed to be a special Act within the meaning of the Act.

Act to be deemed special Act within the meaning of "The Harbours Act, 1878."

SCHEDULE.

Schedule.

ALL that area covered by the sea at high water, containing by estimation 23 acres and 20 poles, more or less, forming part of the foreshore at the Bluff Harbour, which said area includes an area of 7 acres 2 roods 20 poles, more or less, being portion of the area taken for railway purposes by a notification dated the 13th February, 1893, and published in the *New Zealand Gazette* No. 13, of the 23rd February, 1893, and also an area of 2 acres 1 rood, taken for railway purposes by Proclamation dated the 29th September, 1897, and published in the *New Zealand Gazette* No. 86, of the 7th October, 1897, and bounded as follows: Commencing at a point 507 links distant on a bearing of $8^{\circ} 26'$ from the bench-mark in Gore Street, Campbelltown, near the north-east corner of Block I., Campbelltown, and proceeding thence as follows: On a bearing of $283^{\circ} 4' 20''$ for a distance of 5340 links; thence on a curve of 30 chains radius for a distance of 870 links to high-water mark, being the boundary of the Bluff railway land; thence generally in an easterly direction by boundary of railway land and high-water mark for a distance of about 6550 links; thence on a bearing of $8^{\circ} 26'$ for a distance of 50 links, to the point of commencement.

Also all that area covered by the sea at high water, containing by estimation 10 acres 2 roods, more or less, forming part of the foreshore of the Bluff Harbour, which said area includes an area of 1 acre 1 rood 25 poles, being portion of the area taken for railway purposes by a Proclamation dated the 7th day of August, 1899, and published in the *New Zealand Gazette* No. 69, of the 17th August, 1899; also an area of 1 rood 15 poles, being portion of an area taken for railway purposes by notification dated the 13th day of February, 1893, and published in the *New Zealand Gazette* No. 13, of the 23rd February, 1893, and bounded as follows: Commencing at a point 507 links distant on a bearing of $8^{\circ} 26'$ from the bench-mark in Gore Street, Campbelltown, near the north-east corner of Block I., Campbelltown; proceeding thence on a bearing of $103^{\circ} 4' 20''$ for a distance of 140 links, thence on a bearing of $115^{\circ} 17'$ for a distance of 340 links, thence on a bearing of $125^{\circ} 19'$ for a distance of 2810 links, thence on a bearing of $162^{\circ} 30'$ for a distance of 570 links, thence on a bearing of 214° for a distance of 30 links, to high-water mark; thence westerly and north-westerly by high-water mark for a distance of 4100 links; thence on a bearing of $8^{\circ} 26'$ for a distance of 50 links, to the point of commencement.

As the two estimated areas of 23 acres 20 poles and 10 acres 2 roods are more particularly delineated on the plan marked M.D. 2511, deposited in the office of the Minister of Marine, at Wellington, and thereon edged or coloured blue.