

Mr. Nosworthy.

LYTTELTON HARBOUR BOARD LAND.

[LOCAL BILL.]

ANALYSIS.

Title.	
1. Short Title.	4. Power to local authority to reclaim land.
2. Lands in Schedule vested in Harbour Board.	5. Existing rights not affected.
3. Lands to be dealt with subject to provisions of the Harbours Act, 1908.	6. Act to be deemed special Act. Schedule.

A BILL INTITULED

AN ACT to vest in the Lyttelton Harbour Board certain Portions of the Foreshore within the Port of Lyttelton, as defined under the Provisions of the Harbours Act, 1908. Title.

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

1. This Act may be cited as the Lyttelton Harbour Board Land Act, 1913. Short Title.

10 2. From and after the passing of this Act the lands as described in the Schedule to this Act are hereby vested in the Lyttelton Harbour Board and its successors for an estate of inheritance in fee-simple, and the District Land Registrar of the Canterbury Land Registration District shall on the application of the Board issue a
15 certificate of title for the said land to the said Board. Lands in Schedule vested in Harbour Board.

3. The said lands shall be held by the Lyttelton Harbour Board for the use and benefit of the Port of Lyttelton, as defined under the provisions of the Harbours Act, 1908, and may be dealt with in all respects by the said Board, subject to the provisions of the said Act
20 and any amendments thereof. Lands to be dealt with subject to provisions of the Harbours Act, 1908.

4. Any local authority within or adjacent to whose district any part of the land hereinbefore referred to is situated may, with the consent of the Governor in Council and of the Lyttelton Harbour Board, reclaim from the harbour so much of such land as may be
25 necessary to widen any road along or bounded by the foreshore to ninety-nine feet, and to lay out and form the same, but such reclamation shall not interfere with any wharf, jetty, or works of the said Board : Power to local authority to reclaim land.

30 Provided that before consent is given by the Governor in Council the local authority shall deposit at the office of the Marine Department a plan of the land proposed to be reclaimed. Such plan to be prepared by a duly licensed surveyor.

5. (1.) Neither the vesting of the foreshore hereby effected, nor anything herein, nor anything done in pursuance hereof shall alter, Existing rights not affected.
35 prejudice, or affect any rights, duties, or obligations ~~as between the Lyttelton Harbour Board and~~ which any local authority may at the

time of the passing of this Act have or which may have been imposed on any local authority with reference to the discharge of storm-water or sewage from the district under the jurisdiction of such local authority into the sea within the limits of the Port of Lyttelton or with reference to any provision which has been made for such discharge, or with the rights (if any) of any person owning land bounded by the said foreshore and over the same. 5

(2.) If further or other provision shall be required to be made in the future for such discharge, any dispute between the Lyttelton Harbour Board and any such local authority in regard to such discharge or work directly connected therewith may be referred to arbitration in the manner provided by the Arbitration Act, 1908. The Lyttelton Harbour Board may, out of its funds, pay any award or costs in connection therewith. 10

New. 15

Public right of access to foreshore not to be restricted.

5A. (1.) Neither the vesting of the foreshore hereby affected nor anything in this Act shall be deemed in any way to restrict the right of the public from having free access or egress to and from the sea over and along the foreshore for the purpose of beaching or hauling up boats, or for walking, driving, or riding on, over, or along, or for bathing from the foreshore. 20

Board may make by-laws.

(2.) The Lyttelton Harbour Board, in respect to the foreshore, may from time to time, in the manner prescribed by the Harbours Act, 1908, make by-laws regulating or controlling traffic of all descriptions along or over the foreshore, and the bathing by the public in the sea therefrom, for conserving the safety of the public, and the preservation of decency and prevention of nuisances on the foreshore. 25

Act to be deemed special Act.

6. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908. 30

Schedule.

SCHEDULE.

Struck out.

ALL that area of land, being the foreshore extending along the Avon and Heathcote Rivers and the estuary thereof, the sea, Lyttelton Harbour, and Port Levy, within the limits of the Port of Lyttelton and within the jurisdiction of the Lyttelton Harbour Board, as defined by Proclamation dated 21st September, 1888, save and except—

- (1.) The Inner Harbour described in the First Schedule to the Lyttelton Harbour Board Land Act, 1887 :
- (2.) The area described in the Schedule to the Lyttelton Borough Council Foreshore Vesting Act, 1905 :
- (3.) The several areas described in the Schedule to the Lyttelton Harbour Board Land Act, 1905 :
- (4.) The area described in subsection (2) of section 78 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1910 :
- (5.) The area described in the Schedule to the Lyttelton Harbour Board Reclamation and Empowering Act, 1910 :
- (6.) The Shag Rock :
- (7.) Reserve No. 2507 :
- (8.) Reserve No. 3752 :
- (9.) Such portion (if any) of the foreshore within the boundaries of Reserve No. 3549—

as the landward boundary of the said area under the jurisdiction of the said Board is delineated on Plan M.D. No. , deposited in the office of the Marine Department, at Wellington, and edged neutral tint thereon.

New.

ALL that area being the foreshore extending along Lyttelton Harbour and Port Levy from a point 20 chains south of Godley Head Lighthouse Landing to the eastern boundary of the Port of Lyttelton and within the jurisdiction of the Lyttelton Harbour Board as defined by Proclamation dated 21st September, 1888, save and except:—

- (1.) The Inner Harbour described in the First Schedule to the Lyttelton Harbour Board Land Act, 1877:
- (2.) The area described in the Schedule to the Lyttelton Borough Council Foreshore Vesting Act, 1905:
- (3.) The several areas described in the Schedule to the Lyttelton Harbour Board Land Act, 1905, which are within the first-described area:
- (4.) The area described in the Schedule to the Lyttelton Harbour Board Reclamation and Empowering Act, 1910.

By Authority : JOHN MACKAY, Government Printer, Wellington.—1913.