

Mr. J. Hutcheson.

WELLINGTON HARBOUR BOARD EMPOWERING.
[LOCAL BILL.]

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A BILL INTITULED

AN ACT to enable the Wellington Harbour Board, and the Mayor, Councillors, and Citizens of Wellington to exchange certain lands upon terms to be agreed upon, and to confer certain powers upon the Wellington Harbour Board and the said Corporation, and to authorise them respectively to borrow certain moneys. Title.

WHEREAS by section ten of "The Wellington Harbour Board Loans Consolidation and Empowering Act, 1884" (a special Act within the meaning of "The Harbours Act, 1878"), the Wellington Harbour Board (hereinafter referred to as "the Board") was empowered to construct within the Harbour of Wellington a basin, graving-dock, wet-dock, or slip, and also all works necessary for the convenient, proper, and efficient working of any such basin, graving-dock, wet-dock, or slip, as and when the Board should deem it expedient and proper so to do: And whereas by section four of "The Reclamation within the Harbour of Wellington Act, 1887," it was enacted that the piece of land the boundaries and description whereof were specified in the Second Schedule of that Act (hereinafter referred to as "the said land") should be and remain vested in and be the property of the Board, to be used for a graving-dock and slip, and for other purposes of a like nature or ancillary thereto, subject to the conditions expressed in the proviso to the said section: And whereas by a Proclamation dated the twelfth day of March, one thousand eight hundred and ninety-four, certain portions of the said land

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were taken for the extension of the Wellington-Napier Railway, whereby the area thereof has been reduced: And whereas the Board may require additional land to provide sufficient area for the construction of a basin, graving-dock, wet-dock, or slip, and for other purposes of a like nature or ancillary thereto: And whereas by a grant from the Crown dated the twenty-fourth day of June, one thousand eight hundred and seventy-four, certain lands covered by water were vested in the Mayor, Councillors, and citizens of Wellington (hereinafter referred to as "the Corporation") upon trust for reclamation and for purposes of public utility: And whereas by section three of "The Reclamation within the Harbour of Wellington Act, 1887," the Corporation was prohibited from reclaiming from the sea any part of the land described in the said grant lying to the seaward side of the line described in the First Schedule to that Act, therein and herein referred to as the defined line: And whereas part of the additional land that may be required by the Board, owing to the recent increase in the size and number of the vessels trading to the Port of Wellington, may comprise a portion of the lands granted to the Corporation by the said grant, and lying to the seaward side of the defined line: And whereas it may at any time be expedient and proper to exercise the powers vested in the Board for the construction of a basin, graving-dock, wet-dock, or slip, and for other purposes of a like nature or ancillary thereto:

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

- Short Title.** 1. The Short Title of this Act is "The Wellington Harbour Board Empowering Act, 1897."
- Special Act.** 2. This Act shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878."
- Interpretation.** 3. In this Act, if not inconsistent with the context,—
 "The Board" means the Wellington Harbour Board constituted by "The Wellington Harbour Board Act, 1879":
 "The Corporation" means the Mayor, Councillors, and citizens of the City of Wellington incorporated under "The Municipal Corporations Act, 1886":
 "The railway" means the Te Aro extension of the Wellington-Napier Railway:
 "The said Act" means "The Harbours Act, 1878":
 "The said land" means the piece of land the boundaries and descriptions whereof are specified in the Second Schedule to "The Reclamation within the Harbour of Wellington Act, 1887."
- Power to Governor to grant lands.** 4. The Governor may grant to the Board so much of the lands within the Harbour of Wellington covered by sea, and so much of the lands acquired for the purposes of the railway, as he may think fit, for the purposes of a basin, graving-dock, wet-dock, or slip, and for other purposes of a like nature or ancillary thereto (hereinafter called "the said works"), and for the purpose of providing an approach to the said land.
- Power to Board and Corporation to exchange lands.** 5. The Corporation is hereby authorised to transfer to the Board, and the Board may accept upon terms to be agreed upon between

the Corporation and the Board, so much of the land now vested in the Corporation by a grant from the Crown dated the twenty-fourth day of June, one thousand eight hundred and seventy-four, as the Board may require for the said works and for providing approaches to the said piece
 25 of land, and for any other purposes whatsoever; and in order to facilitate such transfer the Board may transfer to the Corporation, and the Corporation may accept, any portion of the lands now vested in the Board as endowments upon terms to be agreed upon between the Board and the Corporation.

10 If a term of any agreement between the Corporation and the Board shall be the payment of a sum of money by the Corporation to the Board, the Council of the City of Wellington may, by special order, borrow such sum to enable the Corporation to make such payment. And may also, until actual payment of such sum, grant as
 15 security for the payment thereof and interest thereon a charge upon any lands and premises acquired by it under this Act and the rents and profits thereof.

6. In the event of the Board requiring to divert the railway, or any streets or public highways under the control of the Corporation,
 20 the Board may contribute the whole or part of the actual cost of the construction of any such new railway, streets, or public highways; and such diversions shall be deemed to be harbour works within the meaning of the said Act.

Diversion of railway and streets.

7. In the event of the Board acquiring from the Corporation
 25 any of the lands mentioned in section *five*, it shall, in addition to the powers conferred by this Act, have the same powers of reclamation as the Corporation now has in respect thereof.

Certain powers of Corporation to vest in Board.

8. The Board may, subject to the provisions of the said Act,
 30 execute upon the said land and the land acquired under this Act all works that it may deem necessary for the construction thereon of the said works or any of them.

Construction of works.

9. The Board shall, before proceeding to construct any such
 35 works, submit the plans thereof to the Marine Department and the Minister for Railways, and shall obtain the consent of the Governor in Council thereto.

Consent of Governor in Council to works.

10. The Board may, out of the moneys authorised to be
 40 borrowed under this Act, construct such workshops, buildings, and other erections on any of the said lands or lands acquired under this Act as it may deem expedient, and may supply and fit the same with proper and necessary furnaces, machinery, tools, appliances, and gear suitable for use in the construction or repair of vessels, and their machinery, furniture, and fittings, and may supply the same with motive-power.

Construction of workshops.

11. The Board may, notwithstanding anything contained in the
 45 said Act, or any special Act, lease, let for hire, or license the use of any of the said workshops, buildings, and other erections, either with or without the furnaces, machinery, tools, appliances, and gear contained therein, and with or without motive-power, upon such terms and conditions as it shall think fit.

Leasing of workshops.

50 12. The Board may let for hire or license the use of any of the said furnaces, machinery, tools, appliances, and gear, with or without motive-power, upon such terms and conditions as it may think fit.

Hire of machinery.

By-laws.

13. In addition to the powers conferred by the said Act, the Board may from time to time, by by-laws made under the said Act,—

(1.) Regulate the use of all furnaces, machinery, tools, appliances, and gear, and fix the charges to be paid for the use of the same:

(2.) Regulate the conduct of all persons in or upon the said works, or any of the workshops, buildings, or erections authorised under this Act.

5.

Board may borrow.

14. The Board is hereby authorised, subject to the provisions of the said Act, to borrow and take up at interest any sum or sums not exceeding in the whole the sum of two hundred and fifty thousand pounds, at a rate of interest not exceeding five per centum per annum, for the purposes of constructing the said works upon the said land, and upon the lands acquired under the authority of this Act, and for the purpose of the works and payments authorised by this Act.

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