

## New Zealand.



### ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Bridge across Otago Harbour may be constructed.</p> <p>4. Plans and specifications to be prepared.</p> <p>5. And deposited.</p> <p>6. And be approved by the Harbour Board and Dunedin City Council.</p> <p>7. Borrowing powers.</p> <p>8. Bridge in whom vested.</p> <p>9. Bridge deemed to be a road.</p> <p>10. Bridge exempt from rates.</p> | <p>11. Tolls.</p> <p>12. Part of "The Public Works Act, 1882," to apply to tolls.</p> <p>13. Board may grant license to any person in lieu of charging toll.</p> <p>14. Uses to which bridge may be put.</p> <p>15. Tolls, &amp;c., to form part of security for loans.</p> <p>16. Tramway.</p> <p>17. Board may make agreement for construction of tramway in lieu of construction of bridge.</p> <p>18. Acts incorporated.</p> <p>19. Otago Harbour Board when improving harbour not liable for any damage done to bridge.</p> |
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### 1886, No. 13.—*Local.*

- Title.** AN ACT to authorize the Construction and Maintenance of a Bridge across the Otago Harbour. [9th August, 1886.]
- Preamble.** WHEREAS the Portobello Road Board is desirous of constructing and maintaining a bridge across the Otago Harbour with the object of bringing the Portobello Road District more conveniently into communication with the City of Dunedin; and whereas it is desirable to give effect to such desire:
- 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 Otago Harbour Bridge Act, 1886."
- Interpretation.** 2. In the interpretation of this Act the following expressions shall, unless the context shall require otherwise, have the meanings annexed thereto:—
- "The road district" shall mean "The Portobello Road District" as constituted by "The Portobello Road Board Enabling Act, 1882":
- "The Board" shall mean the Portobello Road Board:
- "The county" shall mean the Peninsula County.
- Bridge across Otago Harbour may be constructed.** 3. It shall be lawful for the Portobello Road Board to construct and maintain a bridge (hereinafter called "the said bridge"), extending from the City of Dunedin across the Otago Harbour to a point or points in the Peninsula County, if the approvals hereinafter mentioned are first obtained.

4. Before proceeding to commence the said bridge the Board shall cause to be prepared a map or maps and plan or plans showing as nearly as may be where it is intended that the same shall be built or constructed, and especially the intending starting-points thereof both in the Peninsula County and in or near the City of Dunedin, and also the nature of the intended structure, together with a specification briefly describing the nature and character of the proposed work and the material thereof: Provided that the said maps, plans, and specifications may refer the one to the other or others, and shall be sufficient if they together contain the aforesaid particulars: Provided further that in such plan the structure shall be so designed that one or more drawbridges shall be constructed to enable shipping to pass through the bridge.

Plans and specifications to be prepared.

5. The said map or maps, and plan or plans, and specification shall, before they may be approved in manner hereinafter authorized, lie in the office at Dunedin of the Otago Harbour Board for the space of three weeks, and once at least during each of the said three weeks a notice shall be inserted by the Board in two daily newspapers published in Dunedin, stating that the same have been so lodged and are open for inspection.

And deposited.

6. Thereafter, if the Otago Harbour Board and the City Council of Dunedin shall approve of the said map or maps, and plan or plans, and specification, they shall note their approval thereon, and shall deliver to the Board a certificate that they have approved of the same, and such certificate shall be conclusive evidence of such approval, and that the provisions of section four hereof have been complied with.

And be approved by the Harbour Board and Dunedin City Council.]

After the said map or maps, plan or plans, and specification shall have been so approved, they shall be submitted for the approval of the Governor in Council, as provided by "The Harbours Act, 1878," and upon such approval having been obtained, the Board shall be entitled to commence and proceed with the said work.

7. It shall be lawful for the Board, and it is hereby authorized, to raise and borrow from time to time, for the purposes of the said bridge and of matters connected with the construction and maintenance thereof, such sum or sums as shall be by it deemed to be necessary therefor, not exceeding in the whole the sum of thirty thousand pounds: Provided that no greater rate of interest than six per centum per annum shall be paid upon any such sum so borrowed.

Borrowing powers.

8. The said bridge and every part thereof shall from time to time as the same is constructed become part of the Peninsula County and of the Portobello Road District, and the same shall, subject to the rights of the other local bodies, be vested in, and be under the control of, the Portobello Road Board.

Bridge in whom vested.

9. The said bridge shall be deemed to be a road within the meaning of "The Public Works Act, 1882," "The Counties Act, 1876," "The Police Offences Act, 1884," and all Acts and Ordinances relating to roads and offences on roads.

Bridge deemed to be a road.

10. The said bridge and every part thereof, and every building, erection, and place used or connected therewith, shall be exempt from all city, borough, county, road, harbour, and other rates.

Bridge exempt from rates.

11. The Board shall have power to collect tolls for and in respect of the following matters and things, and all powers hereby conferred

Tolls.

shall be in addition to powers conferred by "The Public Works Act, 1882:"—

- (1.) From foot-passengers using the said bridge;
- (2.) In respect of all vehicles passing over the same;
- (3.) In respect of all horsemen or riders passing over the same;
- (4.) In respect of all animals led, driven, or carried over the same;
- (5.) In respect of all passengers in public conveyances passing over the same;
- (6.) In respect of all bicycles, tricycles, or similar machines used on the same.

Part of "The Public Works Act, 1882," to apply to tolls.

**12.** So much of Part V. of "The Public Works Act, 1882," as relates to tolls shall apply to the said bridge, but subsections four, six, seven, and eight of section one hundred and seven, and sections one hundred and fourteen, one hundred and sixteen, one hundred and seventeen, and one hundred and twenty shall not apply.

Board may grant license to any person in lieu of charging toll.

**13.** In lieu of such tolls the Board may, for consideration to be from time to time fixed or agreed upon, agree with any person to grant him a license for any period, not being longer than twelve months, to give free passage to a certain specified vehicle used by himself or his agents, or to himself alone passing with or without vehicle, horse, bicycle, or tricycle, and any such license granted to the proprietor of any public conveyance shall state whether the Board reserves the right to claim tolls in respect of passengers.

Uses to which bridge may be put.

**14.** The Board, subject to the approval of the Otago Harbour Board, shall have power to establish upon or against the said bridge, and grant permits for, and make suitable charges for, the use of—

- (1.) Mooring-places for boats and small craft, the property of the Board;
- (2.) Davits;
- (3.) Baths and bathing-houses;

and generally to grant licenses to use the said bridge and any part thereof, for any purpose not inconsistent with its use as a public highway.

Tolls, &c., to form part of security for loans.

**15.** All tolls, fees, dues, and other moneys receivable under the foregoing powers shall form part of the security for the said loan or loans.

Tramway.

**16.** The Board may construct, or contract for the construction of, and may work or contract respecting the working of, a tramway to and upon the said bridge, and may make agreements with any other local body for the continuation thereof, and may use thereon or permit the use thereon of any such motive-power as it shall think fit.

Board may make agreement for construction of tramway in lieu of construction of bridge.

**17.** The Board may, in lieu of constructing the said bridge, in exercise of the powers conferred by section three hereof, make an agreement for the construction thereof with any person or persons or body corporate in the same manner as is prescribed by "The Tramways Act, 1872," with reference to tramways, and in that case the said Act shall be incorporated with this Act, and the said bridge shall be deemed to be a tramway within the meaning of the said Act, and such person or persons or body corporate shall be deemed to be promoters within the meaning of the said Act.

Acts incorporated.

**18.** The provisions of "The Counties Act, 1876," "The Public Works Act, 1882," "The Tramways Act, 1872," "The Road

Boards Act, 1882," and all amendments of any of the said Acts, and all Acts passed or to be passed in substitution or part substitution therefor, are incorporated herewith.

**19.** The Otago Harbour Board shall not be liable for any damage that may be done to the said bridge by reason of dredging operations that may be undertaken at any future time in the Upper Basin of the Otago Harbour, nor for any act of the said Otago Harbour Board in carrying out any scheme for the improvement of the Otago Harbour.

Otago Harbour Board when improving harbour not liable for any damage done to bridge.