

New Zealand.

ANALYSIS.

- | | |
|--|--|
| <p>Title.
Preamble.
1. Short Title.
2. Act to be deemed a special Act.
3. Council may acquire harbour-works at Tokomaru Bay.</p> | <p>4. Council may carry out additional harbour-works.
5. Council empowered to borrow a sum not exceeding £100,000.</p> |
|--|--|

1910, No. 16.—*Local.*

AN ACT to empower the Waiapu County Council to acquire certain Harbour-works at Tokomaru Bay. Title. [21st November, 1910.]

WHEREAS by Order in Council dated the ninth day of April, one thousand nine hundred and eight, the Waiapu County Council (hereinafter called the Council) was invested with all the powers of a Harbour Board in respect of the area covered by the sea to high-water mark as defined in the said Order in Council (including the portion of Tokomaru Bay hereinafter referred to): And whereas the Tokomaru Farmers' Co-operative Company (Limited) has erected at the northern end of Tokomaru Bay a jetty and receiving-shed, and the Tokomaru Sheep-farmers' Freezing Company (Limited) (hereinafter called the company) is at present constructing at the northern end of Tokomaru Bay certain harbour-works, including a wharf, reclamation, and dock for the company's private use: And whereas the Waiapu County Council considers it desirable in the interests of the ratepayers that the said harbour-works should be taken over and completed by the Council, with such alterations and additions as may be expedient, in order that the said harbour-works may be used and maintained for the benefit of the ratepayers and the public: And whereas the Council has not sufficient revenue to enable it to purchase the said works: And whereas the Council is debarred by law from raising money on loan either under the Local Bodies' Loans Act, 1908, or otherwise, for the purpose of purchasing harbour-works already constructed or under construction: And whereas the Council is desirous of borrowing under the Local Bodies' Loans Act, 1908, or in such other manner as may be expedient, the sum of not exceeding one hundred thousand pounds for the purpose

of purchasing from the company the works so constructed, and of completing and adding to the same by erecting sheds and other facilities for the storage and handling of cargo and stock, and to purchase certain lands abutting on the said harbour-works to enable the same to be used for the benefit of the public :

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. This Act may be cited as the Waiapu County Council (Tokomaru Harbour) Empowering Act, 1910.

Act to be deemed a special Act.

2. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, which Act is hereby incorporated with this Act.

Council may acquire harbour-works at Tokomaru Bay.

3. It shall be lawful for the Council (exercising the powers of a Harbour Board which were conferred upon it by an Order in Council dated the first day of April, nineteen hundred and eight, and published in the *Gazette* of the ninth day of the same month) to purchase from the Tokomaru Sheep-farmers' Freezing Company (Limited) and from the Tokomaru Farmers' Co-operative Company (Limited) the harbour-works respectively constructed by the said respective companies at Tokomaru Bay, at such price as may be agreed upon, or, in case a price cannot be agreed upon, then at a price to be arrived at by two valuers, one appointed by the Council and one appointed by the said companies, and an umpire to be chosen by the valuers before proceeding to value the said harbour-works.

Council may carry out additional harbour-works.

4. Subject to the provisions of section one hundred and fifty of the Harbours Act, 1908, it shall be lawful for the Council, in addition to the harbour-works to be purchased as aforesaid, to construct such harbour-works as the Council considers necessary for the requirements of making a harbour at Tokomaru Bay for the use of the inhabitants of the County of Waiapu, and also to make reclamations, and to erect and construct all such cranes, sheds, and works for the improvement of the said harbour as are judged necessary by the Council for the safety, convenience, or reception of vessels resorting to the said harbour, and for the more convenient loading and unloading of such vessels, or for the safety and protection of any works purchased, constructed, or proposed to be constructed by the Council, and for providing proper access to and from such works, and also to purchase such lands as may be necessary for the proper use and management of the said harbour-works.

Council empowered to borrow a sum not exceeding £100,000.

5. (1.) The Council shall have power to borrow (subject to the provisions of the Harbours Act, 1908, and to the provisions of this Act) any sum not exceeding one hundred thousand pounds, to be applied in and about the purchase of the works and lands and the construction and carrying-out of the works mentioned in sections three and four of this Act.

(2.) No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five pounds per centum per annum.

(3.) Such moneys may be raised in the manner prescribed by the Local Bodies' Loans Act, 1908; and the provisions of that Act

shall apply as if the Council were a local authority and the said works were public works within the meaning of Part I of that Act; subject, however, to the modification that where anything is required to be done by special order it may be done by the Council by resolution.

(4.) As security for the money authorized to be borrowed as aforesaid, the Council may make and levy a special rate not exceeding one penny in the pound on the capital value of all rateable property in the harbour district hereinafter mentioned.

(5.) A district to be called the Waiapu County (Tokomaru Harbour) Rating District shall be hereby constituted, and shall consist of the Tokomaru Riding, the Waipiro Riding, and the Piritarau Riding of the County of Waiapu.