

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Section 5 of the Waitara Harbour District and Empowering Act, 1907, repealed.</p> <p>4. Bridge to be vested in Council.</p> | <p>5. Council may raise loan to rebuild bridge.</p> <p>6. Time for rebuilding bridge.</p> <p>7. Saving of certain general enactments.</p> <p>8. Board to pay to Council certain revenues.</p> <p>9. Land in Schedule vested in Board.</p> <p>10. Board declared a leasing authority. Schedule.</p> |
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1910, No. 18.—*Local.*

Title. AN ACT to provide for the Rebuilding and Future Control of the Bridge over the Waitara River, and to vest certain Lands in the Waitara Harbour Board, and for other Purposes.

[21st November, 1910.]

Preamble. WHEREAS by Crown grant dated the eighth day of July, eighteen hundred and seventy-nine, twenty-five acres and twenty-five perches (comprising one hundred sections) of the land in the Borough of Waitara was granted to the Waitara Harbour Board as an endowment upon trust for the construction and maintenance of a bridge over the River Waitara within the said borough, and for the maintenance of the banks and improvement of the said river: And whereas the existing bridge over the Waitara River (which had been built before the date of the said Crown grant) has since been maintained by the said Board, and it has now become necessary to entirely rebuild the same: And whereas by section five of the Waitara Harbour District and Empowering Act, 1907, power was given to the said Board to borrow the sum of seven thousand pounds for the purpose of rebuilding the said bridge, but such power has not been exercised in whole or in part: And whereas it has been agreed between the said Board and the Waitara Borough Council that the said Council shall have the control and management of the said bridge, and shall, as between the said Board and the said Council, provide for the rebuilding and future maintenance thereof, upon the condition that the said Board shall pay to the said Council one-half of the net revenues to be derived from the said land comprised in the said Crown grant:

BE IT THEREFORE 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 Waitara Harbour Board and Borough Empowering Act, 1910. Short Title.
2. In this Act, if not inconsistent with the context,—
 “ Board ” means the Waitara Harbour Board :
 “ Council ” means the Waitara Borough Council. Interpretation.
3. Section five of the Waitara Harbour District and Empowering Act, 1907, is hereby repealed. Section 5 of the Waitara Harbour District and Empowering Act, 1907, repealed.
4. The said bridge, and the control and management thereof, are hereby vested in the Council, and the Board is hereby relieved from all future liability for the maintenance thereof imposed on it by the said Crown grant or otherwise howsoever. Bridge to be vested in Council.
5. The Council may raise a loan or loans under the Local Bodies’ Loans Act, 1908, for the purpose of rebuilding the said bridge. Council may raise loan to rebuild bridge.
6. The Council shall rebuild the said bridge within three years from the passing of this Act. Time for rebuilding bridge.
7. Notwithstanding anything in this Act, the provisions of sections one hundred and sixty and one hundred and sixty-one of the Municipal Corporations Act, 1908, and of sections one hundred and nineteen and one hundred and twenty of the Public Works Act, 1908, shall apply to the said bridge, save that the Board shall not be called upon to contribute under such sections, or have the control of the said bridge placed upon it. Saving of certain general enactments.
8. The Board shall pay to the Council one-half of the net amount of the rents and profits henceforth derived from the lands comprised in the said Crown grant, after deducting from the amount of such rents and profits so derived five pounds per centum thereof to reimburse the Board for the cost and expense of managing and administering the said lands and collecting the said rents and profits, such moneys to be paid half-yearly on the first days of April and October in each year, and to form part of the District Fund of the Borough of Waitara. Board to pay Council certain revenues.
9. The lands described in the Schedule hereto are hereby vested in the Board as an endowment for the Board for the purposes for which it is constituted, and subject to the provisions of the Harbours Act, 1908 ; and the District Land Registrar at New Plymouth shall, upon the passing of this Act, issue to the Board a Land Transfer certificate of title for the said lands. Land in Schedule vested in Board.
10. The Board is hereby declared to be a leasing authority within the meaning of the Public Bodies’ Leases Act, 1908. Board declared a leasing authority.

Schedule.

SCHEDULE.

ALL those areas of land in the Taranaki Land District more particularly described as follows :—

(1.) All that piece of land in the Paritutu Survey District, Block I, and comprising section numbered 136 and also part Reserve A, both in the Waitara West District, containing 136 acres, be the same a little more or less: bounded towards the west by part of Native Reserve 1, Waitara West District, Block I, Paritutu Survey District; towards the south and south-west by the Brown Road and Battiscombe Terrace to the point where Battiscombe Terrace at its north-eastern side meets high-water mark; thence generally towards the east, south-west, and again towards the north-east and north by high-water mark to the eastern boundary of Native Reserve 1 before mentioned.

(2.) Also all that piece of land in Block I, Waitara Survey District, containing 5 acres, be the same a little more or less, and bounded as follows: generally towards the south and east by Native Reserve 81, Waitara East District, Block I, Waitara Survey District; again towards the south-east by Howard Street to the Waitara River; towards the south-west and west generally by the east bank of the Waitara River to high-water mark; and thence generally towards the north by high-water mark to the north-east corner of the before-mentioned Native Reserve 81.

(3.) Also all that piece of land in the said Block I, Waitara Survey District, containing 129 acres, be the same a little more or less, being section numbered 14 in the Waitara East District, and bounded as follows: commencing at the north-east corner of Native Reserve 81, Block I, Waitara Survey District; thence generally towards the north-west and north-east by high-water mark; thence generally towards the south and south-east by Section 34, Waitara East District, Block I, Waitara Survey District; thence generally towards the south and south-east by the Waihi Road and Howard Street to the eastern boundary of the before-mentioned Native Reserve 81; thence towards the south-west by the said eastern boundary of Native Reserve 81 to the point of commencement.

(4.) Also all that piece of land in the Waitara East District, Block I, Waitara Survey District, containing 2 acres 2 roods, to be the same a little more or less, and bounded as follows: commencing at the point where the south-western boundary of Section 37, Waitara East District, Block I, Waitara Survey District, meets high-water mark; thence south-easterly to the north-east corner of Section 36, Waitara East District; thence bounded towards the south by the northern boundaries of Sections 36, 35, and part 34, Waitara East District, to high-water mark; thence generally towards the north-west and north-east by high-water mark to the point of commencement.

(5.) Also all that piece of land in the Borough of Waitara known as "The Pilot Station," being block numbered CXIX on the public map of the Town of Waitara West, containing 1 acre 2 roods 35 perches, be the same a little more or less, and bounded towards the south-west by Grey Street from West Quay to Battiscombe Terrace, and towards the north, east, and south by high-water mark.

(6.) Also all that piece of land in the Waitara East District, Block I, Waitara Survey District, situated between high-water mark and low-water mark, and extending from the east bank of the Waitara River to the Waihi Stream.