

New Parliament.]

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
12th December, 1879.*

Mr. Dick.

Otago Harbour Board Empowering.

ANALYSIS.

| | |
|--|--|
| Title. | 4. Land to be leased under "The Harbours Act, 1878." |
| Preamble. | 5. Power to resell lands purchased. |
| 1. Short Title. | 6. Power to borrow. |
| 2. Land in Schedule to be granted. | 7. Act to be deemed a special Act. |
| 3. Land to be granted to South Dunedin Municipality. | Schedule. |

A BILL INTITULED

AN ACT to Grant Lands to and Transfer Lands from the Otago Harbour Board, and to make other Provisions in favor of the said Board.

WHEREAS a part of the endowment granted to the Otago Harbour Board by divers Acts and Ordinances have been taken by the Government of the colony for railway and public work purposes: And whereas no compensation has been granted to the said Harbour Board for the land so taken: And whereas it is expedient to transfer from the said Harbour Board ten acres of its endowment to the Municipality of South Dunedin, and to make other provisions in favour of the said Harbour Board:

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

1. The Short Title of this Act is "The Otago Harbour Board Empowering Act, 1879."

2. It shall be lawful for the Governor to grant to the Otago Harbour Board (hereinafter called "the said Board"), the lands described in the Schedule hereto, to be held by the said Board on the same trusts and for the same purposes as the lands in Dunedin now vested in the said Board are now held.

3. It shall be lawful for the Governor to grant to the South Dunedin Municipality, subject to any existing obligations, the ten acres of the said Board's endowment referred to in the Schedule hereto, to be held in trust for municipal purposes.

4. The land granted to the said Board by virtue of this Act shall be leased and managed as provided in sections one hundred and thirty-seven and one hundred and thirty-eight of "The Harbours Act, 1878": Provided always that in the event of it being decided to carry the Dunedin and Port Chalmers Railway, or any portion thereof, over any part of the said endowment, the Government shall be entitled to take such land, not exceeding fifty feet from the top of the outer slope, without payment of compensation to the Board other than actual cost of reclamation from the sea, and without any payment of compensation whatever, if the Government gives in exchange for the land so taken that portion of land in proximity to the land taken at that time occupied by the railway line, but which it may be proposed to abandon: Provided further that the Government shall, within three years from the date of the passing of this Act, notify to the said Board what lands, if any, shall be required for railway purposes.

5. It shall be lawful for the said Board to resell and convey any lands that it may have purchased for any temporary use or purpose, and the moneys derived from such resale shall become and be applied as ordinary revenue of the said Board.

6. It shall be lawful for the said Board, and it is hereby authorized to raise and borrow (in addition to any money already borrowed) a sum or sums of money not exceeding in the whole one hundred thousand pounds.

7. This Act shall be deemed a special Act within the meaning of section one hundred and eighty-eight of "The Harbours Act, 1878."

SCHEDULE.

ALL that piece or parcel of land being part of the foreshore lying in front of the Anderson's Bay Road, comprising twenty-one (21) acres three (3) roods and eight (8) poles, more or less, as Crown granted to the Otago Harbour Board by grant bearing date 11th July, eighteen hundred and seventy-seven (1877), and numbered nineteen thousand two hundred and sixty-nine (19,269), excepting 10 acres thereof which it has been agreed, in consideration of an equivalent provided for in this Act, should be granted to the South Dunedin Municipality: And all that piece or parcel of land in the Provincial District of Otago, containing by admeasurement eighty-three (83) acres, more or less, and bounded towards the North-west by the Dunedin and Port Chalmers Railway line, from a point at or near Trigonometrical Station G to a point on said line near a small promontory opposite Section 17, Upper Harbour West District; towards the North by a line from said point at right angles to said railway line to extremity of promontory aforesaid; towards the South-east by lines from point to point along the shore to a point opposite Trigonometrical Station G; and towards the South-west by a line from said point, at right angles to railway line, to starting point: as the same is delineated on the plan deposited in the Provincial District Survey Office, Dunedin.