

1880, No. 23.—*Local.*

AN ACT authorizing the Otago Harbour Board to borrow more Money, and to authorize Dealing with the Lands mentioned in the Schedules hereto.

OTAGO HARBOUR
BOARD
EMPOWERING.

[1st September, 1880.]

WHEREAS it is expedient to authorize the Otago Harbour Board to borrow more money : Preamble.

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, 1880.” Short Title.

2. It shall be lawful for the Otago Harbour Board (hereinafter called “the Board”), and it is hereby authorized, to raise, and borrow from time to time (in addition to any money already borrowed) a sum or sums of money not exceeding in the whole one hundred thousand pounds. Otago Harbour Board may borrow further sum of £100,000.

3. It shall be lawful for the Governor of the Colony of New Zealand to grant to the Board the lands described in the First Schedule hereto, to be held by the Board on the same or similar trusts and for the same or similar purposes as the lands in Dunedin now vested in the Board are now held. Land in First Schedule vested in Board.

4. The Board shall convey to the Corporation of the Borough of South Dunedin, subject to any existing obligations, the ten acres of the Board’s endowment referred to in the Second Schedule hereto, to be held in trust for municipal purposes. Land in Second Schedule vested in Board for municipal purposes.

5. The land to be granted to the Board by virtue of this Act shall be leased and managed as provided by “The Harbours Act, 1878,” as modified by this Act : Provided always that, in the event of it being decided to carry the Dunedin Land to be managed under provisions of “Harbours Act, 1878,” and this Act,

and Port Chalmers Railway, or any portion thereof, over any part of the said endowment, the Government shall be entitled to take such land which shall be reclaimed by the Board when required, in accordance with plans and to levels to be approved of by the said Government, 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 :

Power to resell lands purchased.

6. It shall be lawful for the 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 Board.

Act to be deemed a special Act.

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

Schedules.

SCHEDULES.

FIRST SCHEDULE.

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.

SECOND SCHEDULE.

ALL that area in the Provincial District of Otago, containing by admeasurement ten (10) acres, more or less, being a portion of that area of twenty-one (21) acres three (3) roods and eight (8) perches, Crown granted to the Otago Harbour Board on the 11th July, 1877. Bounded towards the North-east by the Dunedin, Peninsula, and Ocean Beach Railway Reserve of one (1) chain wide for about twenty-seven (27) chains, to the Beach Road ; towards the South by the said road ; towards the South-west by the Anderson's Bay Road ; and towards the North-west by a line in prolongation of the boundary between Sections 5 and 6, Town District, from the said Anderson's Bay Road to the said Dunedin, Peninsula, and Ocean Beach Railway Reserve : as the same is delineated on the plans deposited in the Survey Office, Dunedin.