

*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,  
18th October, 1905.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

*Rt. Hon. R. J. Seddon.*

**HOKITIKA HARBOUR.**

[LOCAL BILL.]

Title.	ANALYSIS.
1. Short Title.	6. Lands vested in Board.
2. Interpretation.	7. Power to borrow.
3. Constitution of Harbour Board.	8. Power to collect dues on timber exported.
4. Harbour district.	9. River-protection works.
5. Endowment. Power to mortgage or sell. How sale conducted. Power to mortgage or sell to be subject to existing rights. Application of purchase-money.	10. Board may levy rate on rateable property in borough.
	11. Repeal. Schedules.

**A BILL INTITULED**

AN ACT to consolidate certain Acts of the General Assembly relating Title.  
to Hokitika Harbour.

BE IT ENACTED by the General Assembly of New Zealand in Par-  
5 liament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is “The Hokitika Harbour Act, Short Title.  
1905.”

2. In this Act “the Board” means the Hokitika Harbour Board Interpretation.  
as defined by this Act.

10 3. (1.) The Harbour Board shall consist of five members, as Constitution of  
Harbour Board  
follows:—

- The Mayor for the time being of the Borough of Hokitika ;
- The Chairman for the time being of the County of Westland ;
- Three members elected by the ratepayers of the Borough of

15

(2.) Where any addition is made to the harbour district herein-  
after constituted, the number of members of the Board shall be  
increased as follows:—

20

(a.) If the Kaniere Riding of the Westland County is so added,  
then by one member appointed by the Westland County  
Council, being one of the members of the said Council  
representing the Kaniere Riding ;

25

(b.) If the Borough of Ross is so added, then by one member,  
being the Mayor for the time being of the Borough of  
Ross ; and

(c.) If any part of the Southern Riding of the County of  
Westland is so added, then by one member appointed  
by the said Council, being one of its members representing  
the Southern Riding.

- Harbour district. 4. (1.) There is hereby constituted a harbour district, comprising the Borough of Hokitika.
- (2.) The Governor may from time to time, by Order in Council gazetted, on the recommendation of the Board and with the consent of the ratepayers, declare that the Kanieri Riding, the Borough of Ross, and the Southern Riding of the said county or any part thereof described in the said Order shall be added to and form part of the said harbour district; and every such Order shall have effect accordingly. 5
- (3.) The consent of the ratepayers shall be obtained in the manner prescribed by "The Local Elections Act, 1904." 10
- Endowment. 5. (1.) The lands described in the *First* Schedule hereto are hereby vested in the Board as an endowment for the purposes of the Hokitika Harbour subject to the mortgage existing thereon to His Majesty the King. 15
- Power to mortgage or sell. (2.) The Board may sell and absolutely dispose of the said land or any part thereof by public auction or by tender :  
Provided that no land shall be disposed of at a price less than one pound per acre :  
Provided also that every sale shall be subject to the consent of the Postmaster-General on behalf of His Majesty as mortgagee. 20
- How sale conducted. (3.) Such sale shall be conducted by the Land Board of the district.
- Power to mortgage or sell to be subject to existing rights. (4.) Any sale under the power given by this Act shall be made subject to all legal rights and mining privileges existing at the date of sale. 25
- Application of purchase-money. (5.) The proceeds of every such sale shall be applied by the Land Board—
- (a.) In paying the same to the Postmaster-General, on behalf of His Majesty as mortgagee, in or towards satisfaction of the principal and interest moneys due and owing under the said mortgage, interest taking priority of principal; and 30
- (b.) After full payment and satisfaction of all principal and interest moneys as aforesaid, in paying the surplus to the Board.
- Lands vested in Board. 6. The lands described in the *Second* Schedule hereto are also vested in the Board for the purposes of the Hokitika Harbour. 35
- Power to borrow. 7. (1.) In lieu of exercising the power to sell conferred by section *four* hereof, the Board may from time to time borrow money, not exceeding in the whole the sum of fifty thousand pounds, on the security of— 40
- (a.) Its endowments (excepting endowment number one hundred and forty-five (in red) in the Arahura district) and the rents and profits derived therefrom; and
- (b.) The revenue received on the export of timber under section *ten* hereof. 45
- (2.) Such moneys may be raised in the manner prescribed by "The Local Bodies' Loans Act, 1901," and the provisions of that Act shall apply as if the Board were a local authority and the harbour-works hereinafter mentioned were public works within the meaning of Part I. of that Act. 50
- (3.) As further security for the money authorised to be borrowed as aforesaid the Board may make and levy a special rate not exceeding twopence in the pound on all rateable property in the harbour district.

(4.) The moneys so raised shall be applied—

First, in paying off the moneys due to His Majesty under the said mortgage; and

Secondly, in constructing such harbour-works as the Board may deem necessary.

5 8. It shall be lawful for the Board to levy and collect any sum not exceeding two shillings and sixpence per one thousand superficial feet on all timber exported from the Hokitika Harbour. Power to collect dues on timber exported.

10 9. (1.) The Board may construct such dams, breakwaters, embankments, walls, and other works of a similar character as the Board deems necessary for the improvement of the navigation of the Hokitika River, including all arms and lagoons thereof from the Township of Kanieri to the sea, or for the general protection or conservation of the banks thereof. River-protection works.

15 (2.) All such works shall be deemed to be harbour-works within the meaning of "The Harbours Act, 1878."

20 10. The Board may, on the request of the Hokitika Borough Council, levy a general river-protection rate, not exceeding in any one year one shilling in the pound on the capital value of all rateable property in the said borough, for the purpose of constructing, maintaining, and repairing such river protection as the Board thinks necessary, or for the payment of interest and sinking fund (if any) upon moneys borrowed for the purposes of such works. Board may levy rate on rateable property in borough.

25 11. The Acts and parts of Acts mentioned in the *Third* Schedule hereto are hereby repealed: Repeal.

Provided that such repeal shall not affect the rights of any creditor of the Board under any Act hereby repealed or the validity of any act lawfully done under any such Act.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

ALL that parcel of land containing 14,150 acres, more or less, situated in the Arahura District, in the Province *Land District* of Westland, commencing at the eastern boundary of Native Reserve No. 30. Bounded on the northward by south boundary of Block V. and a line one hundred (100) chains distant from and parallel with north bank of Arahura River, one thousand (1,000) chains; on the westward by the said Native Reserve No. 30 and east boundary of Block V., distances respectively of one hundred (100) chains; on the southward by a line one hundred (100) chains distant from and parallel with south bank of Arahura River, one thousand (1,000) chains; and on the eastward by a line running due north, two hundred (200) chains, and known as Reserve No. 145 (in red). Subject to Government reserves and reserves for road, tramway, or railway purposes, and exclusive of Section 1676 and pre-emptive right, existing reserves, and gold-workings.

All that parcel of land containing 15,700 acres, more or less, situate in the Totara District, in the Province *Land District* of Westland, and known as Reserve No. 146 (in red). Bounded on the southward by the northern bank of the Totara River; on the eastward by the east boundary of Block LXVI., and part of the east boundary of Block XXXVI.; on the northward by the H.P. line, and line in continuation thereof to the sea-coast; and on the westward by the sea-coast. Subject to reserves for Government, road, tramway, or railway purposes, and exclusive of all existing reserves and sold land and gold-workings.

## SECOND SCHEDULE.

ALL that parcel of land situate in the Town of Hokitika, in the ~~Province~~ *Land District* of Westland, containing by admeasurement 12 acres 3 roods, more or less, and known as "Gibson's Quay." Bounded on the south by the Hokitika River; on the east by a line in continuation of the western side of Jollie Street; on the west by the western side of Wharf Street; on the north by a line being parallel to and two chains distant from the first-described boundary, and numbered 434 (in red) on the map of the Chief Surveyor of the ~~Province~~ *Land District* of Westland, setting out and describing the Town of Hokitika aforesaid, as the same is delineated on the plan drawn in the margin of a certain Crown grant of the said land to the Superintendent of the Province of Canterbury, bearing date the sixth day of November, one thousand eight hundred and sixty-five, together with all the rights and appurtenances thereto belonging.

All that area in the Land District of Westland, containing by admeasurement 7 acres 2 roods, more or less. Bounded by a line commencing at Trig. Tube No. 2, Wharf Street, Town of Hokitika, and proceeding thence on a bearing of  $269^{\circ} 52'$  a distance of 316.4 links; thence on a bearing of  $284^{\circ} 20'$  a distance of 79.2 links; thence on a bearing of  $294^{\circ} 22'$  to high-water mark of the sea; thence south-westerly along high-water mark of the sea to the end of the northern training-wall; thence generally north-easterly along the northern training-wall to a point bearing  $S. 34^{\circ} 27' W.$  from Trig. Tube No. 2, Wharf Street aforesaid; thence on a bearing of  $34^{\circ} 27'$ , a distance of 51.6 links, to Trig. Tube No. 2, the commencing-point: be the aforesaid linkages a little more or less.

## THIRD SCHEDULE.

## ACTS REPEALED.

1876, No. 96.—"The Hokitika Harbour Board Act, 1876."

1878, No. 35.—"The Harbours Act, 1878": So much of the Second Schedule as relates to the Hokitika Harbour.

1878, No. 33, Local.—"The Hokitika Harbour Board Endowment Act, 1878."

1879, No. 22, Local.—"The Hokitika Harbour Board Endowment Act 1878 Amendment Act, 1879."

1901, No. 13, Local.—"The Hokitika Harbour Board Endowment Act 1878 Amendment Act, 1901."

1904, No. 1, Local.—"The Hokitika Harbour Board Empowering Act, 1904."