

Act No. 34, 1898.

An Act to sanction the construction of a deep-water harbour at Port Kembla, and to provide for levying wharfage rates on goods, merchandise, packages, and articles landed at or laden from any wharf or jetty within the said harbour. [23rd December, 1898.]

PORT KEMBLA  
HARBOUR.

**W**HEREAS, in accordance with the provisions of the Public Works Act of 1888, the Legislative Assembly did, by resolution, declare that it was expedient that a certain work, namely, the construction of a Deep-water Harbour at Port Kembla, as referred by the said Assembly to the Parliamentary Standing Committee on Public Works, should be carried out by constructing the eastern breakwater, as recommended by the said Committee: And whereas on the passing of the said resolution a statutory duty was by the said Act imposed on the Secretary for Public Works to introduce a Bill into the said Assembly to sanction the carrying out of the said work: And whereas it is desirable to provide for levying wharfage rates on goods landed at or laden from any wharf or jetty within the said harbour: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. The carrying out of the said work (more particularly described in the Schedule to this Act) is hereby sanctioned; and the Secretary for Public Works, or the Member of the Executive Council for the time being performing the duties of the said Secretary, is hereby authorised to undertake and carry out the said work subject to the provisions of this Act, and for that purpose shall be, and shall have the powers and duties of, a Constructing Authority within the meaning of the Public Works Act of 1888: Provided that the carrying out of the said work shall not be commenced until all private lands, jetties, and other works, required in connection with the said work, have been acquired under a satisfactory arrangement with the owners of such lands, jetties, and works.

Work sanctioned.

2. The plan of the said work is the plan marked "Port Kembla," signed by the Secretary for Public Works and countersigned by the Engineer-in-Chief for Public Works, and deposited in the public office of the said Secretary.

Plan of work.

3. The cost of carrying out the said work, estimated at two hundred thousand pounds, may be defrayed from such Loan Votes as

Costs, how to be defrayed.

may

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*(Consolidated Fund) Appropriation.*

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may hereafter be applicable to that purpose, and shall not under any circumstances exceed the estimated cost by more than ten per centum.

Wharfage rates to  
be levied.

4. Inward and outward wharfage rates, at the respective rates prescribed in the Wharfage and Tonnage Rates Act of 1880 and in the Second Schedule thereto, shall be levied under that Act upon all goods, merchandise, packages, and articles landed on and laden from any wharf or jetty now constructed, or hereafter to be constructed, within the deep-water harbour at Port Kembla. And, notwithstanding section twelve of the said Act, the said rates shall not be abolished or reduced.

Short title.

5. This Act may be cited as the "Port Kembla Harbour Act, 1898."

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**SCHEDULE.**

The construction of a breakwater commencing on the foreshore near the eastern extremity of Port Kembla Bay and distant about eight hundred feet in an east south-easterly direction from the northern extremity of Mount Kembla Coal Company's coal shipping jetty, and extending thence in a northerly direction in a curved line a distance of two thousand eight hundred feet—being tinted red on deposited plan—and the necessary shipping appliances.

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