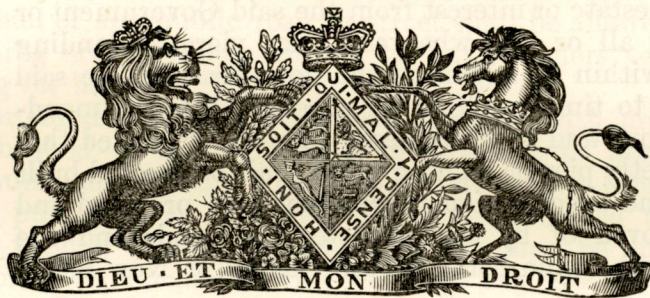


This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,  
Sydney, 12 October, 1887. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUINQUAGESIMO PRIMO

# VICTORIÆ REGINÆ.

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An Act to enable the Borough of Balmain to lease and acquire lands and to erect thereon wharves and to levy rates on all wharves in its possession.

**W**HEREAS it is desirable and would be for the advantage of the ratepayers and residents of the Borough of Balmain and the public generally that the said Borough by the Municipal Council thereof should have power to take on lease purchase or otherwise acquire land situated outside of but adjoining to or abutting upon the boundaries of the said Borough and forming any part of the shores fore-shores or harbour of Port Jackson or any bays or inlets thereof and to construct thereon and also on lands already leased from the said Government or from Her Majesty the Queen wharves jetties piers landing-places waiting-rooms and other erections and improvements and to lease purchase or acquire wharves jetties and piers already erected within or adjoining the said Borough and to charge for and recover at law if necessary all rates fees and tolls as fixed by the by-laws of the said Borough that may be hereafter confirmed by the Governor and published in the *Government Gazette* and to have and exercise all other the powers intended to be hereby conferred and it is doubtful whether such powers are now vested in the said Borough



*Borough of Balmain Wharves.*

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:—

- 5 1. It shall be lawful for the Borough of Balmain by the Municipal Council for the time being thereof from time to time to purchase take on lease or otherwise acquire from Her Majesty the Queen or the Government of New South Wales or from any person or persons lands situate outside but adjoining to or abutting upon the  
 10 boundaries of the said Borough and forming any part of the shores foreshores or Harbour of Port Jackson or any bays or inlets thereof and to erect build and construct thereon and also on any lands already leased by the said Borough from the Government of New South  
 15 Wales or Her Majesty the Queen one or more wharves jetties piers and landing places with all necessary or convenient roads ways sea walls and approaches thereto and all necessary or convenient waiting rooms sheds conveniences offices and buildings and from time to time to effect all necessary or advisable repairs amendments alterations additions and improvements thereto and also to take on lease purchase  
 20 or acquire for any term estate or interest from the said Government or from Her said Majesty all or any wharves jetties piers or landing places already erected within or adjoining the boundaries of the said Borough and from time to time to effect all necessary repairs amend-  
 25 ments alterations additions and improvements thereto Provided that before any such wharf jetty pier or landing place shall be erected built or constructed a plan and specification thereof shall be prepared and submitted to and approved of by the Minister for Lands and the Minister for Works for the time being of the Colony of New South  
 30 Wales.
2. It shall be lawful for the Municipal Council of the said Borough to use and apply the rates and income of the said Borough for and towards all or any of the works and purposes set out or referred to in the preceding section in the same manner as if the said lands  
 35 had been within the limits or boundaries of the said Borough.
3. The Council of the said Borough may in addition to the powers conferred by the one hundred and ninetieth section of the "Municipalities Act of 1867" borrow and use all moneys which may be necessary for the purpose of effecting and carrying out the works and purposes set out or referred to in the first section of this Act in  
 40 the same manner as if all the said works and purposes had been expressly included in the said Municipalities Act and in addition to the securities referred to in the one hundred and ninety-first section of the last mentioned Act it shall be lawful for the said Borough to mortgage such wharf or wharves or any of them as may have been  
 45 leased purchased or acquired by the Borough so borrowing and the tolls rates and dues arising therefrom for all the estate right title and interest of the said Borough therein or any less estate or interest and all the rights powers and remedies given to mortgagors and mortgagees by the "Municipalities Act of 1867" shall extend to any securities  
 50 effected under the powers conferred by this Act.
4. It shall be lawful for the said Municipal Council from time to time to make alter add to repeal and amend all necessary regulations and by-laws for the purpose of regulating and controlling the use of such of the said wharves jetties piers landing-places waiting-rooms and  
 55 other erections as have been or may hereafter be leased purchased or acquired as aforesaid by the said Borough or as may be already in the possession of the said Borough and may establish levy and impose tolls rates dues and charges upon and in respect of steamers and other vessels and boats plying or making fast to or lying alongside of or landing or receiving goods or passengers upon or from or otherwise  
 using
- Power for Borough of Balmain to acquire lands and erect wharves &c.
- Power to apply rates towards purposes set out in preceding sections.
- Power to borrow for purposes in first section.
- Power to make by-laws and regulations.



*Borough of Balmain Wharves.*

using any of the said wharves and may recover all such tolls rates  
 dues and charges in any Court of competent jurisdiction from any  
 owner lessee or charterer of such steamers or vessels or boats and may  
 erect gates bars and other works necessary for the collection of such  
 5 tolls rates dues and charges and may make by-laws for the proper  
 management of such wharves and collection of such tolls rates dues  
 and charges and in such by-laws the said Council may provide  
 maximum and minimum penalties for the breach or non-observance of  
 any of the said by-laws and all such penalties may be recovered and  
 10 enforced in the manner provided by the Act eleventh and twelfth  
 Victoria chapter two and the Acts of Parliament amending the same  
 All or any such by-laws being consistent with the provisions of this  
 Act and not repugnant to any other Act or law in force within the  
 Colony of New South Wales shall have the force of law when  
 15 confirmed by the Governor and published in the *Government Gazette*  
 but not sooner or otherwise And copies thereof shall be laid before  
 both Houses of Parliament forthwith if Parliament be sitting and if  
 not then within fourteen days after the opening of the next Session  
 Provided that free access over any of the said wharves which may be  
 20 situated at the end of any public road or street shall be allowed to all  
 passengers landing or embarking from or on any steamers vessels or  
 boats not plying for hire.

5. The production of the *Government Gazette* with any such  
 by-laws so published as aforesaid shall in any suit or proceeding  
 25 whatsoever be sufficient evidence that such by-laws have been made  
 confirmed and published as is herein required Provided that no  
 objection to the validity of any such by-law which may be sustained  
 on the ground of its repugnancy to this Act or to any Act or law as  
 aforesaid shall be affected by anything in this section contained.

By-laws to be proved  
 by production of the  
*Government Gazette.*

6. It shall be lawful for the said Borough from time to time  
 30 to let and demise or otherwise grant or permit to any person or persons  
 the use or occupation of all or any of the said wharves or any portion  
 or portions thereof for such time upon such terms and subject to such  
 conditions stipulations and agreements as the Municipal Council of the  
 35 said Borough may deem advisable But no such lease demise grant or  
 permission shall be for any term exceeding seven years if such wharf  
 be constructed on land which is the absolute property of the said  
 Borough nor if the said wharf be constructed on land held by the said  
 Borough on lease or for a limited time for any term exceeding the term  
 40 of the said lease or the said limited time.

Power to let wharves.

7. Unless the context shall otherwise require the term "wharf"  
 or "wharves" whenever herein used shall mean and include the one  
 or more wharves jetties piers landing places roads ways sea walls  
 approaches waiting-rooms sheds conveniences offices and buildings  
 45 mentioned in the first and fourth sections of this Act and the word  
 "Borough" shall mean the "Borough of Balmain."

Interpretation

8. This Act may be cited as the "Borough of Balmain Wharves  
 Act."

Short title.



Borough of Balmora Wharves

using any of the said wharves and any recovery all such tolls rates  
 dues and charges in any Court of competent jurisdiction from any  
 owner lessee or charterer of such wharves or vessels or boats and may  
 exact rates dues and other works necessary for the collection of such  
 tolls rates dues and charges and may make by-laws for the proper  
 management of such wharves and collection of such tolls rates dues  
 and charges and in such by-laws the said Council may provide  
 maximum and minimum penalties for the breach or non-observance of  
 any of the said by-laws and all such penalties may be recovered and  
 enforced in the manner provided by the Act aforesaid and twelfth  
 Victoria chapter two and the Acts of Parliament amending the same  
 All or any such by-laws being consistent with the provisions of the  
 Act and not repugnant to any other Act or law in force within the  
 Colony of New South Wales shall have the force of law when  
 confirmed by the Governor and published in the Government Gazette  
 but not sooner or otherwise. And copies thereof shall be laid before  
 both Houses of Parliament forthwith if Parliament be sitting and if  
 not then within fourteen days after the opening of the next Session  
 Provided that two copies of any of the said wharves which may be  
 situated at the end of any public road or street shall be allowed to all  
 passengers landing or embarking from or on any steamers vessels or  
 boats not lying for hire.

3. The production of the Government Gazette with any such  
 by-laws so published as aforesaid shall in any suit or proceeding  
 whatsoever be sufficient evidence that such by-laws have been made  
 confirmed and published as is herein required. Provided that no  
 objection to the validity of any such by-law which may be sustained  
 on the ground of its repugnancy to this Act or to any Act or law as  
 aforesaid shall be affected by anything in this section contained.

4. It shall be lawful for the said Borough from time to time  
 to let and demise or otherwise grant or permit to any person or persons  
 the use or occupation of all or any of the said wharves or any portion  
 or portions thereof for such time upon such terms and subject to such  
 conditions stipulations and covenants as the Municipal Council of the  
 said Borough may deem advisable. But no such lease demise grant or  
 permission shall be for any term exceeding seven years if such wharve  
 be constructed on land which is the absolute property of the said  
 Borough nor if the said wharve be constructed on land held by the said  
 Borough on lease or for a limited time for any term exceeding the term  
 of the said lease or the said limited time.

5. Unless the context shall otherwise require the term "wharve"  
 or "wharves" whenever herein used shall mean and include the one  
 or more wharves jetties piers landing places roads ways and  
 approaches wharves, ramps, sheds, conveniences, offices and buildings  
 mentioned in the first and fourth sections of this Act and the word  
 "Borough" shall mean the "Borough of Balmora".

6. This Act may be cited as the "Borough of Balmora Wharves  
 Act".



## BOROUGH OF BALMAIN WHARVES BILL.

### *SCHEDULE of Amendments referred to in Message of 16th November, 1887.*

- Page 1, Preamble, line 9. *Omit* "said"  
Page 1, Preamble, line 9. *After* "Government" *insert* "of New South Wales"  
Page 1, Preamble, line 15. *After* "Governor" *insert* "with the advice of the Executive Council"  
Page 2, clause 1, line 6. *After* "thereof" *insert* "hereinafter styled the Borough"  
Page 2, clause 1, line 10. *Omit* "said"  
Page 2, clause 1, line 13. *Omit* "said"  
Page 2, clause 1, line 13. *Before* "Government" *insert* "said"  
Page 2, clause 1, lines 13 and 14. *Omit* "of New South Wales"  
Page 2, clause 1, line 22. *Omit* "said"  
Page 2, clause 2, line 30. *Omit* "Municipal Council of the said"  
Page 2, clause 2, line 31. *Omit* "said"  
Page 2, clause 2, line 34. *Omit* "said"  
Page 2, clause 3, line 35. *Omit* "Council of the said"  
Page 2, clause 3, line 45. *Omit* "so borrowing"  
Page 2, clause 3, line 47. *Omit* "said"  
Page 2, clause 4, line 51. *Omit* "said Municipal Council" *insert* "Borough"  
Page 2, clause 4, line 56. *Omit* "said"  
Page 2, clause 4, line 57. *Omit* "said"  
Page 3, clause 4, line 8. *Omit* "said Council" *insert* "Borough"  
Page 3, clause 4, line 16. *After* "Governor" *insert* "as aforesaid"  
Page 3, clause 6, line 31. *Omit* "said"  
Page 3, clause 6, lines 35 and 36. *Omit* "Municipal Council of the said"  
Page 3, clause 6, line 37. *After* "if" *insert* "any"  
Page 3, clause 6, line 39. *Omit* "said"  
Page 3, clause 6, line 39. *Omit* "the said" *insert* "any such"  
Page 3, clause 6, line 40. *Omit* "said"  
Page 3, clause 6, line 40. *Omit* "or for a limited time"  
Page 3, clause 6, line 41. *After* "lease" *omit* remainder of clause *insert* "Provided that no such lease demise grant or permission shall give exclusive use of such wharf to any ferry company"  
Page 3, clause 7, line 48. *After* "Act" *omit* remainder of clause.



ROBERT B. BERRY



*This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 12 October, 1887. }*

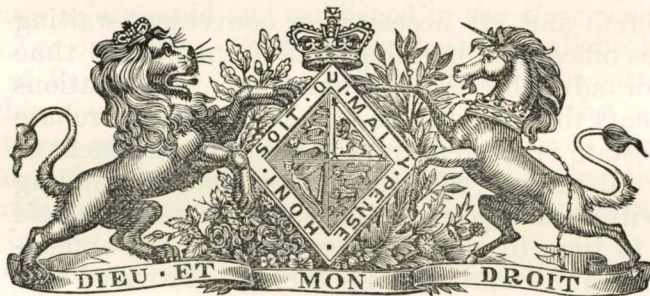
STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 16th November, 1887. }*

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO QUINQUAGESIMO PRIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

An Act to enable the Borough of Balmain to lease and acquire lands and to erect thereon wharves and to levy rates on all wharves in its possession.

**W**HEREAS it is desirable and would be for the advantage of the ratepayers and residents of the Borough of Balmain and the public generally that the said Borough by the Municipal Council thereof should have power to take on lease purchase or otherwise acquire land situated outside of but adjoining to or abutting upon the boundaries of the said Borough and forming any part of the shores fore-shores or harbour of Port Jackson or any bays or inlets thereof and to construct thereon and also on lands already leased from the said Government of New South Wales or from Her Majesty the Queen wharves jetties piers landing-places waiting-rooms and other erections and improvements and to lease purchase or acquire wharves jetties and piers already erected within or adjoining the said Borough and to charge for and recover at law if necessary all rates fees and tolls as fixed by the by-laws of the said Borough that may be hereafter confirmed by the Governor with the advice of the Executive Council and published in the *Government Gazette* and to have and exercise all other the powers intended to be hereby conferred and it is doubtful whether such powers are now vested in the said Borough Be it therefore

117—

therefore

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Borough of Balmain Wharves.*

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:—

- 5           1. It shall be lawful for the Borough of Balmain by the Municipal Council for the time being thereof **hereinafter styled the Borough** from time to time to purchase take on lease or otherwise acquire from Her Majesty the Queen or the Government of New South Wales or from any person or persons lands situate outside but adjoining to or  
10 abutting upon the boundaries of the said Borough and forming any part of the shores foreshores or Harbour of Port Jackson or any bays or inlets thereof and to erect build and construct thereon and also on any lands already leased by the said Borough from the said Government of  
15 ~~New South Wales~~ or Her Majesty the Queen one or more wharves jetties piers and landing places with all necessary or convenient roads ways sea walls and approaches thereto and all necessary or convenient waiting rooms sheds conveniences offices and buildings and from time to time to effect all necessary or advisable repairs amendments alterations additions and improvements thereto and also to take on lease purchase  
20 or acquire for any term estate or interest from the said Government or from Her said Majesty all or any wharves jetties piers or landing places already erected within or adjoining the boundaries of the said Borough and from time to time to effect all necessary repairs amendments alterations additions and improvements thereto Provided that  
25 before any such wharf jetty pier or landing place shall be erected built or constructed a plan and specification thereof shall be prepared and submitted to and approved of by the Minister for Lands and the Minister for Works for the time being of the Colony of New South Wales.
- 30           2. It shall be lawful for the ~~Municipal Council of the said~~ Borough to use and apply the rates and income of the said Borough for and towards all or any of the works and purposes set out or referred to in the preceding section in the same manner as if the said lands had been within the limits or boundaries of the said Borough.
- 35           3. The ~~Council of the said~~ Borough may in addition to the powers conferred by the one hundred and ninetieth section of the "Municipalities Act of 1867" borrow and use all moneys which may be necessary for the purpose of effecting and carrying out the works and purposes set out or referred to in the first section of this Act in  
40 the same manner as if all the said works and purposes had been expressly included in the said Municipalities Act and in addition to the securities referred to in the one hundred and ninety-first section of the last mentioned Act it shall be lawful for the said Borough to mortgage such wharf or wharves or any of them as may have been  
45 leased purchased or acquired by the Borough ~~so borrowing~~ and the tolls rates and dues arising therefrom for all the estate right title and interest of the said Borough therein or any less estate or interest and all the rights powers and remedies given to mortgagors and mortgagees by the "Municipalities Act of 1867" shall extend to any securities  
50 effected under the powers conferred by this Act.
4. It shall be lawful for the said ~~Municipal Council~~ **Borough** from time to time to make alter add to repeal and amend all necessary regulations and by-laws for the purpose of regulating and controlling the use of such of the said wharves jetties piers landing-places waiting-rooms and  
55 other erections as have been or may hereafter be leased purchased or acquired as aforesaid by the said Borough or as may be already in the possession of the said Borough and may establish levy and impose tolls rates dues and charges upon and in respect of steamers and other vessels and boats plying or making fast to or lying alongside of or landing

Power for Borough of Balmain to acquire lands and erect wharves &c.

Power to apply rates towards purposes set out in preceding sections.

Power to borrow for purposes in first section.

Power to make by-laws and regulations.



*Borough of Balmain Wharves.*

landing or receiving goods or passengers upon or from or otherwise using any of the said wharves and may recover all such tolls rates dues and charges in any Court of competent jurisdiction from any owner lessee or charterer of such steamers or vessels or boats and may  
 5 erect gates bars and other works necessary for the collection of such tolls rates dues and charges and may make by-laws for the proper management of such wharves and collection of such tolls rates dues and charges and in such by-laws the ~~said Council~~ **Borough** may provide maximum and minimum penalties for the breach or non-observance of  
 10 any of the said by-laws and all such penalties may be recovered and enforced in the manner provided by the Act eleventh and twelfth Victoria chapter two and the Acts of Parliament amending the same All or any such by-laws being consistent with the provisions of this Act and not repugnant to any other Act or law in force within the  
 15 Colony of New South Wales shall have the force of law when confirmed by the Governor as aforesaid and published in the *Government Gazette* but not sooner or otherwise And copies thereof shall be laid before both Houses of Parliament forthwith if Parliament be sitting and if not then within fourteen days after the opening of the next Session  
 20 Provided that free access over any of the said wharves which may be situated at the end of any public road or street shall be allowed to all passengers landing or embarking from or on any steamers vessels or boats not plying for hire.

5. The production of the *Government Gazette* with any such  
 25 by-laws so published as aforesaid shall in any suit or proceeding whatsoever be sufficient evidence that such by-laws have been made confirmed and published as is herein required Provided that no objection to the validity of any such by-law which may be sustained on the ground of its repugnancy to this Act or to any Act or law as  
 30 aforesaid shall be affected by anything in this section contained.

By-laws to be proved by production of the *Government Gazette*.

6. It shall be lawful for the ~~said~~ Borough from time to time  
 to let and demise or otherwise grant or permit to any person or persons the use or occupation of all or any of the said wharves or any portion or portions thereof for such time upon such terms and subject to such  
 35 conditions stipulations and agreements as the ~~Municipal Council of the~~ ~~said~~ Borough may deem advisable But no such lease demise grant or permission shall be for any term exceeding seven years if any such wharf be constructed on land which is the absolute property of the ~~said~~ Borough nor if ~~the said~~ any such wharf be constructed on land  
 40 held by the ~~said~~ Borough on lease ~~or for a limited time~~ for any term exceeding the term of the said lease ~~or the said limited time~~. **Provided that no such lease demise grant or permission shall give exclusive use of such wharf to any ferry company.**

Power to let wharves.

7. Unless the context shall otherwise require the term "wharf"  
 45 or "wharves" whenever herein used shall mean and include the one or more wharves jetties piers landing places roads ways sea walls approaches waiting-rooms sheds conveniences offices and buildings mentioned in the first and fourth sections of this Act ~~and the word "Borough" shall mean the "Borough of Balmain."~~

Interpretation.

50 8. This Act may be cited as the "Borough of Balmain Wharves Act."

Short title.



Borough of Balaclava, Victoria, in Victoria

landed or receiving goods or passengers upon or from or otherwise using any of the said wharves and may recover all such tolls rates dues and charges in any Court of competent jurisdiction from any owner lessee or charterer of such steamers or vessels or boats and from any agent or factor and other works necessary for the collection of such tolls rates dues and charges and may make by-laws for the proper management of such wharves and collection of such tolls rates dues and charges and in such by-laws the said Council Borough may provide for the maximum and minimum penalties for the breach or non-observance of any of the said by-laws and all such penalties may be recovered and enforced in the manner provided by law for the recovery of penalties and fines and the Act of Parliament amending the same.

All or any such by-laws being consistent with the provisions of this Act and not repugnant to any other Act or law in force within the Borough of Balaclava shall have the force of law when confirmed by the Governor as aforesaid and published in the Government Gazette but not sooner otherwise. And copies thereof shall be laid before both Houses of Parliament for their assent and if the assent of either House is given after the expiration of the next Session not then within fourteen days after the passing of the Act, the Act shall have effect as if it had been assented to by both Houses of Parliament.

Provided that any person or persons who may be liable to be fined or imprisoned at the end of any public road or street shall be bound to provide for the drainage of such road or street from or on any steamers vessels or boats not being fishing boats or boats of any other description.

The provisions of the Government Act in relation to any such wharves as aforesaid shall in any suit or proceeding relating to the same be deemed to be subject to the provisions of this Act in so far as they may be applicable thereto.

Notwithstanding anything to the contrary in any Act or law in force in Victoria at the date of the passing of this Act, no person shall be liable to be fined or imprisoned in respect of any offence against any such Act or law as aforesaid in so far as it relates to any such wharves as aforesaid after the expiration of the period of six months from the date of the passing of this Act.

Notwithstanding anything to the contrary in any Act or law in force in Victoria at the date of the passing of this Act, no person shall be liable to be fined or imprisoned in respect of any offence against any such Act or law as aforesaid in so far as it relates to any such wharves as aforesaid after the expiration of the period of six months from the date of the passing of this Act.

Notwithstanding anything to the contrary in any Act or law in force in Victoria at the date of the passing of this Act, no person shall be liable to be fined or imprisoned in respect of any offence against any such Act or law as aforesaid in so far as it relates to any such wharves as aforesaid after the expiration of the period of six months from the date of the passing of this Act.

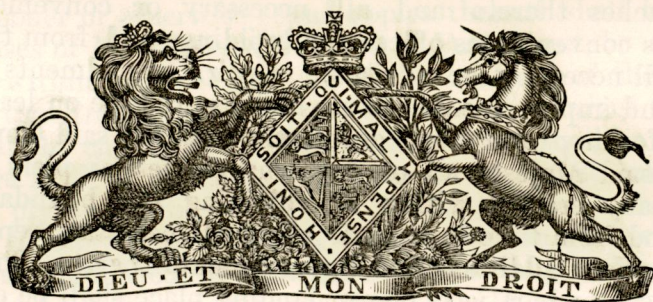
Notwithstanding anything to the contrary in any Act or law in force in Victoria at the date of the passing of this Act, no person shall be liable to be fined or imprisoned in respect of any offence against any such Act or law as aforesaid in so far as it relates to any such wharves as aforesaid after the expiration of the period of six months from the date of the passing of this Act.

Notwithstanding anything to the contrary in any Act or law in force in Victoria at the date of the passing of this Act, no person shall be liable to be fined or imprisoned in respect of any offence against any such Act or law as aforesaid in so far as it relates to any such wharves as aforesaid after the expiration of the period of six months from the date of the passing of this Act.

[34]



New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

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An Act to enable the Borough of Balmain to lease and acquire lands and to erect thereon wharves and to levy rates on all wharves in its possession. [Assented to, 23rd November, 1887.]

**W**HEREAS it is desirable and would be for the advantage of the ratepayers and residents of the Borough of Balmain and the public generally that the said Borough by the Municipal Council thereof should have power to take on lease purchase or otherwise acquire land situated outside of but adjoining to or abutting upon the boundaries of the said Borough and forming any part of the shores fore-shores or harbour of Port Jackson or any bays or inlets thereof and to construct thereon and also on lands already leased from the Government of New South Wales or from Her Majesty the Queen wharves jetties piers landing-places waiting-rooms and other erections and improvements and to lease purchase or acquire wharves jetties and piers already erected within or adjoining the said Borough and to charge for and recover at law if necessary all rates fees and tolls as fixed by the by-laws of the said Borough that may be hereafter confirmed by the Governor with the advice of the Executive Council and published in the *Government Gazette* and to have and exercise all other the powers intended to be hereby conferred and it is doubtful whether such powers are now vested in the said Borough Be it therefore

Preamble.



*Borough of Balmain Wharves.*

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:—

Power for Borough of Balmain to acquire lands and erect wharves &c.

1. It shall be lawful for the Borough of Balmain by the Municipal Council for the time being thereof hereinafter styled the Borough from time to time to purchase take on lease or otherwise acquire from Her Majesty the Queen or the Government of New South Wales or from any person or persons lands situate outside but adjoining to or abutting upon the boundaries of the Borough and forming any part of the shores foreshores or Harbour of Port Jackson or any bays or inlets thereof and to erect build and construct thereon and also on any lands already leased by the Borough from the said Government or Her Majesty the Queen one or more wharves jetties piers and landing places with all necessary or convenient roads ways sea walls and approaches thereto and all necessary or convenient waiting rooms sheds conveniences offices and buildings and from time to time to effect all necessary or advisable repairs amendments alterations additions and improvements thereto and also to take on lease purchase or acquire for any term estate or interest from the said Government or from Her said Majesty all or any wharves jetties piers or landing places already erected within or adjoining the boundaries of the Borough and from time to time to effect all necessary repairs amendments alterations additions and improvements thereto Provided that before any such wharf jetty pier or landing place shall be erected built or constructed a plan and specification thereof shall be prepared and submitted to and approved of by the Minister for Lands and the Minister for Works for the time being of the Colony of New South Wales.

Power to apply rates towards purposes set out in preceding section.

2. It shall be lawful for the Borough to use and apply the rates and income of the Borough for and towards all or any of the works and purposes set out or referred to in the preceding section in the same manner as if the said lands had been within the limits or boundaries of the Borough.

Power to borrow for purposes in first section.

3. The Borough may in addition to the powers conferred by the one hundred and ninetieth section of the "Municipalities Act of 1867" borrow and use all moneys which may be necessary for the purpose of effecting and carrying out the works and purposes set out or referred to in the first section of this Act in the same manner as if all the said works and purposes had been expressly included in the said Municipalities Act and in addition to the securities referred to in the one hundred and ninety-first section of the last mentioned Act it shall be lawful for the said Borough to mortgage such wharf or wharves or any of them as may have been leased purchased or acquired by the Borough and the tolls rates and dues arising therefrom for all the estate right title and interest of the Borough therein or any less estate or interest and all the rights powers and remedies given to mortgagors and mortgagees by the "Municipalities Act of 1867" shall extend to any securities effected under the powers conferred by this Act.

Power to make by-laws and regulations.

4. It shall be lawful for the Borough from time to time to make alter add to repeal and amend all necessary regulations and by-laws for the purpose of regulating and controlling the use of such of the said wharves jetties piers landing-places waiting-rooms and other erections as have been or may hereafter be leased purchased or acquired as aforesaid by the Borough or as may be already in the possession of the Borough and may establish levy and impose tolls rates dues and charges upon and in respect of steamers and other vessels and boats plying or making fast to or lying alongside of or landing



*Borough of Balmain Wharves.*

landing or receiving goods or passengers upon or from or otherwise using any of the said wharves and may recover all such tolls rates dues and charges in any Court of competent jurisdiction from any owner lessee or charterer of such steamers or vessels or boats and may erect gates bars and other works necessary for the collection of such tolls rates dues and charges and may make by-laws for the proper management of such wharves and collection of such tolls rates dues and charges and in such by-laws the Borough may provide maximum and minimum penalties for the breach or non-observance of any of the said by-laws and all such penalties may be recovered and enforced in the manner provided by the Act eleventh and twelfth Victoria chapter two and the Acts of Parliament amending the same All or any such by-laws being consistent with the provisions of this Act and not repugnant to any other Act or law in force within the Colony of New South Wales shall have the force of law when confirmed by the Governor as aforesaid and published in the *Government Gazette* but not sooner or otherwise And copies thereof shall be laid before both Houses of Parliament forthwith if Parliament be sitting and if not then within fourteen days after the opening of the next Session Provided that free access over any of the said wharves which may be situated at the end of any public road or street shall be allowed to all passengers landing or embarking from or on any steamers vessels or boats not plying for hire.

5. The production of the *Government Gazette* with any such by-laws so published as aforesaid shall in any suit or proceeding whatsoever be sufficient evidence that such by-laws have been made confirmed and published as is herein required Provided that no objection to the validity of any such by-law which may be sustained on the ground of its repugnancy to this Act or to any Act or law as aforesaid shall be affected by anything in this section contained.

By-laws to be proved  
by production of the  
*Government Gazette*.

6. It shall be lawful for the Borough from time to time to let and demise or otherwise grant or permit to any person or persons the use or occupation of all or any of the said wharves or any portion or portions thereof for such time upon such terms and subject to such conditions stipulations and agreements as the Borough may deem advisable But no such lease demise grant or permission shall be for any term exceeding seven years if any such wharf be constructed on land which is the absolute property of the Borough nor if any such wharf be constructed on land held by the Borough on lease for any term exceeding the term of the said lease Provided that no such lease demise grant or permission shall give exclusive use of such wharf to any ferry company.

Power to let wharves.

7. Unless the context shall otherwise require the term "wharf" or "wharves" whenever herein used shall mean and include the one or more wharves jetties piers landing places roads ways sea walls approaches waiting-rooms sheds conveniences offices and buildings mentioned in the first and fourth sections of this Act.

Interpretation.

8. This Act may be cited as the "Borough of Balmain Wharves Act."

Short title.



...of the said works or structures upon or over any land or otherwise...

...and charges and expenses and costs and expenses and charges and expenses...

...and not a contract to any other law or law in force within the colony...

...the production of the Government Grants which are such...

...and shall be subject to the provisions of the Act in relation to...

...in the context of all other provisions relating to the form...

...of the said works or structures upon or over any land or otherwise...

...and charges and expenses and costs and expenses and charges and expenses...

...and not a contract to any other law or law in force within the colony...