

WASTE LANDS COMMITTEE.

(REPORT ON THE WESTLAND AND NELSON COALFIELDS ADMINISTRATION ACT 1877
AMENDMENT BILL.)

THE Waste Lands Committee, to whom was referred the Westland and Nelson Coalfields Administration Act 1877 Amendment Bill, have the honour to report that they have duly considered the same, and beg to recommend that it be allowed to proceed with the amendments thereto, which are shown on the attached copy of the Bill.

26th September, 1893.

R. THOMPSON, Chairman.

MINUTES OF EVIDENCE.

TUESDAY, 19TH SEPTEMBER, 1893. (Mr. R. THOMPSON, Chairman.)

Mr. JAMES MCKERROW, Chief Commissioner of Railways, examined.

1. *The Chairman.*] You appear to give evidence in support of this report which is before the Committee?—Yes.

2. This report contains your opinion concerning the matters which are now being inquired into?—Yes.

3. Have you anything further to add to what is contained in the report?—I have nothing further to say.

4. *Hon. Mr. McKenzie.*] Have you seen the report of the Commissioners appointed by His Excellency to inquire into the matter now under consideration?—Yes, I read it this morning.

5. Do you agree with that report?—No, I do not. They made recommendations with a view to subsequent action.

6. They recommended that the sections from Nelson Street to Kennedy Street should not be re-let?—Yes; that is with respect to the north of Nelson Street. We thought, at one time, that might be done for twenty-one years; but now we think it right to withdraw our assent from such a proposition, the reason being that circumstances have arisen which affect the public interests in this place.

7. They say, with regard to the sections south of Nelson Street and between Nelson and Bentham Streets, the Railway Commissioners are of opinion that they may be let for a term of twenty-one years also?—That is so.

8. But they go on to say that this term is merely an arbitrary term, and might be extended to at least thirty years, if not to forty-two years; you do not back up your engineer's opinion in that particular?—We back it up in the main as to the twenty-one years; but some engineers have reported the dangerous condition of the bank, occasioned by the flood-water of the river, so that it was necessary to send down an engineer specially to put down piles to prevent any damage that might be caused.

9. Then, you have had reason to alter the opinion you had previously expressed, in consequence of facts that have come to your knowledge?—Yes.

10. *Hon. Mr. Rolleston.*] Have you verified the Bill by comparison with the report of the Commissioners in regard to the recommendations?—It recommends twenty-one years, renewable; we recommended twenty-one years, with no renewal.

11. Had the Railway Commissioners at any time recommended more than twenty-one years?—No.

12. But the Railway Commissioners did recommend twenty-one years?—Yes; but we now withdraw that.

13. *The Chairman.*] Then, at the present time, there should be no section taken?—No; the leases have five years to run yet.

14. *Mr. O'Connor.*] I would like Mr. McKerrow to say whether he speaks for himself only, or whether he includes the other Railway Commissioners. Do they agree with you in thinking that there is this danger you mention?—Yes, they do.

15. Have you been informed that any of the earth has been washed away?—The current is now impinging on the staiths to a certain extent, so much so that we are driving in piles to support the staiths. Unless it is checked, possibly, or even probably, the staiths would go into the river.

16. You say you are taking steps to drive in piles to make the staiths secure?—We hope to do so, having been moved to this by the reports of our engineer; but we do not know what may happen. You must recollect that the Buller is one of the largest rivers in the colony; moreover, it is a snow-fed river, and consequently is subject to very great fluctuations indeed. You do not know what damage such a river might do if it set in towards the bank.

17. Are you not aware that not a single pound weight of earth has gone away, and that it has not done any damage?—Well, it threatens to do such damage that the Harbour Board the other day approved of an expenditure of between £4,000 and £5,000 so as to render the staiths temporarily safe.

18. As to driving piles, was not the object to deepen the river in the first instance?—The piles were driven deep enough when originally put in, according to the then state of the river; but these river-works have so altered the trend of the river that it has, as I have already informed the Committee, scoured out many feet of stuff along the berths where vessels load. That has been done in a short time. I do not know how much more damage of this sort it may have done; but we are now taking steps to arrest this action of the river.

19. But is not what has to be done done for the purpose of deepening the river, and not on account of any damage done or apprehended?—Unfortunately, if that were the object, the work has been done too well, and the result has been beyond anticipation.

20. Has it taken away as much as one yard or even an inch of this ground that you have now as a reserve for your use?—I do not know that it has, but along the shore it has scoured away several feet deep; there is also another step in contemplation to prevent the possibility of any further damage to be feared; that is to lay down masses of stone so as to pave, as it were, the place where this scour is most active.

21. But the river is running in its own bed; how can it change its bed; it is not to be confined by stones?—The river will not be stopped; but if it should find its way in certain directions then damage would result. We are trying to prevent that.

22. I think, Mr. McKerrow you mislead the Committee, first, as to the extent of the encroachment, and next, as to the necessity for yard extension. We can show that the Railway Commissioners have more accommodation than they can use for the output of coal. I wish further to show the Committee that great injury will be done to the Harbour Board by depriving them of a considerable portion of their revenue; a million and a half tons of output could be placed there without interfering with the harbour at all or in the slightest degree; but I wish to ask you what is the area of accommodation which the Commissioners have at present?—We have 19 acres now.

23. How many acres would you require to use for storage of 5,000 tons a day output?—It would require some consideration to answer that question. It depends very much on the manner of loading. By extending the staiths as you now do you might do with less. But steam cranes, I hear, are likely to be introduced. With steam cranes you will require a large amount of rolling-stock and standing room for wagons so as to give quick despatch.

24. Would 25 acres give you storage enough for 5,000 tons in trucks?—I cannot say.

25. Can you say how much coal per day the water facilities would enable the Westport Harbour to put out?—I could not reply to that question; the output is limited by what can be brought down the line.

26. And not a limit by boating facilities?—It is a matter of frontage to the river: of more sidings and more staiths; it is an illimitable quantity, if the river is made accessible to all the staiths they could have.

27. Do you mean that the available space is illimitable?—Practically it is illimitable by the construction of walls and other facilities; Sir John Coode, if you will look at his plans, provides for dock, loading-places, and a variety of other facilities.

28. But I am treating of the river?—I am treating of the river also.

29. I was asking you of the available river-frontage for shipping, and you reply that it is illimitable: are you not aware that it is limited by about double the extent of space that is now available?—The river is available for shipping according to the extent of the works to be done to render it so. The river-frontage is practically illimitable: it is simply a matter of expenditure.

30. You know the spot opposite the Colliery Reserve?—It is available at Wakefield Street—we land cattle there now—and down to Gladstone Street.

31. At the present time are you not aware that there is not 2ft. of water in Wakefield Street? It would require 18ft. of water: that there is none about the shingle-bank?—The shingle-bank is to be dredged away.

32. That is not for wharfage?—The idea is this: that if this is dredged away the position would be that the whole sweep of the river would have its effect in deepening and extending the existing berthage.

33. Can you tell me what is the limit that was put by Sir John Coode when it is necessary to leave the river and seek the lagoon which is marked on his plans?—I am not aware of that. I am not aware that it would be necessary when a very large trade takes place to abandon the river. I take it that the whole of this place was brought within his knowledge by the engineers as to what was necessary to be done.

34. But the engineers are not agreed upon the subject?—Of course they are not.

35. What is the alternative?—To use the river-frontage more and more, as required.

36. Who was the engineer?—I do not care to mention names, or to pit one engineer against another.

36A. You are not able to say that you have ever had any calculations made showing the extent to which the river can be used for the purposes of the output of coal?—No, I have not.

37. Can you say what storage is available to the Railway Commissioners without disturbing any of these people along the line of street?—South of Bentham Street—it is not much occupied there—there would be room, but it would be inconvenient for standing-room because of the distance from the staiths.

38. Would that difficulty not apply if sidings were stretched along?—If you had a greater and broader series of sidings nearer the staiths it would be better.

39. But is it not a fact that, according to Mr. Peterkin's opinion, you have facilities for three or four times the output of coals in your hands?—I do not wish to say a word against Mr. Peterkin, but I think he is rather sanguine in that estimate.

40. Have you made any calculation?—No; we have made no calculation—we have made an estimate. In a general way, we say that the future requirements will be such that 19 acres will be insufficient.

41. You arrive at that without any calculation?—I think I might say that within the last fourteen years the output of coal from New Zealand mines has increased fourfold; one-third of all the coal raised in New Zealand is shipped at Westport; some 670,000 tons were raised in New Zealand in 1892; of that, over 200,000 tons come from one mine—Coalbrookdale; now the Mokihinui is coming into action, beginning with 500 tons a week; then there is the Ngakawau, Granity Creek, and others. When all these coal-mines are in full action there will be a great increase of accommodation required.

42. Have you now in your railway-yard twice the accommodation necessary for the coal output in New Zealand?—No; I think not.

43. How do you arrive at that calculation?—It is no calculation; it is simply a matter of perception. At the present time we have not too much room. If, in the course of time we should have to provide requirements for a million and a half tons, there is no computation necessary. It is simply a matter of intuition which tell us that we will require more accommodation than we have now.

44. You say there is 750,000 tons?—I said nothing approaching to it: you said we had accommodation for twice the whole of the present output of coal in New Zealand. I said that would be a million and a half tons.

45. Do you know of any damage being done at any portion of the Colliery Reserve within the last ten years?—Within the last few months considerable damage has been done at the staiths.

46. To the bank of the river?—It is threatening the banks of the river, so that we are going to the expense of several thousand pounds to prevent further damage.

47. I ask you again, whether one yard of earth has gone away within the last ten years?—I do not think that any appreciable portion has gone; but, as I have said, the river is scouring out deep under the bank. It has done away with some of the holding of the front piles. If it is allowed to go further the bank itself will topple into, or the staiths themselves would possibly topple into, the river.

48. That is the ground on which you are refusing to sanction a twenty-one years' lease?—Yes, that is the ground. We do not know what may occur.

49. *Hon. Mr. Rolleston.*] The Harbour Board are authorised to spend £4,000?—Yes.

50. Then they appreciate the danger, and concur with the engineer's report?—Yes.

51. *Mr. Duncan.*] What is the nature of the ground that you are piling?—It is river-deposit.

WEDNESDAY, 20TH SEPTEMBER, 1893.

Mr. J. A. WILSON examined.

1. *The Chairman.*] What are you, Mr. Wilson?—Resident Engineer in Wellington to the Public Works Department. I am here to give evidence on the Nelson and Westland Coal-fields Administration Act 1877 Amendment Bill.

2. Will you give any information you have to give in support of this Bill?—I know something of Westport. Since 1877 I have been pretty closely connected with it; I was engineer to the Harbour Board for two years. With regard to the siding accommodation and storage facilities, the position, so far as I know, is this: There is at present about 3,000 tons of storage accommodation at Westport, divided between the coal staiths and the railway wagons. Of this about 1,700 tons will be found in the coal staiths, and the balance, 1,300 tons, in the railway wagons. The output of late is at the rate of about 300,000 tons per annum with these facilities. There is a siding accommodation which could be made available from Nelson Street to the beach, and on the sea side of Palmerston Street it would hold another 320 wagons; and there is also further accommodation which could be utilised in the Colliery Reserve from Wakefield Street to Bentham Street, and on the sea side of the railway-line, which could be made to hold 800 wagons. That would give, reckoning for traffic purposes, equal to 1,470 wagons; in this way: there are at present about 200 wagons in the hands of the Railway Department, and the staiths, which hold about 1,700 tons, can be reckoned at 150 wagons. It is not right to leave the staiths out of consideration, and they cannot be reckoned as wagons; but, say, 150, or equal in storage to 50 per cent. of that of the staiths; that gives, with the 320 wagons and the 800 wagons at the lower and upper ends of the town, respectively, 1,470 wagons, which, used in the same way as the 350 which they have available at present (counting the staiths at 150), should be equal to dealing with an output of over a million and a quarter per annum. About one million tons per annum is as much as can reasonably be expected to be put out by means of the river. If a larger output was wanted, it would have to be done by constructing a floating basin. There is, so far as I know, no danger of the foreshore of the Colliery Reserve being affected by the scour of the river; in point of fact it will not do to allow it. It is absolutely essential to keep the

line where it is at present. The foreshore must be retained as it is, where it was laid down by Sir John Cooode. If it is allowed to work further back, the efficiency of the port will be seriously affected. With plenty of stone available at the quarries, and a railway-line to them, there is no reason why it should not be maintained where it is. I do not think there is anything further to say.

3. *Hon. Mr. Rolleston.*] You say the line of embankment must be kept there?—Yes.

3A. Is it not in danger when the Harbour Board, as we have been told, are spending £3,000 or £4,000 to secure it?—I should not think an expenditure of that amount was necessary. There is an increased scour in front of the walls beyond the staiths since the training-walls have been advanced down the river; but I understand that is lessening now—it is not as much as it was at first—and it is natural to suppose it will lessen. The first flood after the training-walls were erected showed what was the greatest velocity likely to be experienced, and a considerable scouring took place. The bottom of the river is now making up again to its original depth. Some considerable amount of stone will be required, but only in ordinary maintenance.

4. Has not the river at different times entirely falsified the expectations of engineers?—Not as far as I know. The results have been as they were expected to be, at Westport.

5. Have they been so at Greymouth, for instance?—Practically, at the Grey.

6. You say it will be absolutely provided for in this case?—I am quite satisfied it will be.

7. *Mr. Rhodes.*] Have you any idea what they are spending at present?—At present I do not know that there has been anything. I believe the work is in the hands of the Railway Commissioners. I believe what they purpose doing is driving piles, which is very necessary, no doubt, but I do not know whether they have commenced operations.

8. *Mr. Hogg.*] Since the staiths were constructed, have the banks of the river been seriously encroached on?—Not at all.

9. Was any large expenditure incurred to protect the banks?—None. The banks of the river were pitched with stone when the station-yard was first erected in 1877–78, and that stone is practically unaltered. It has stood since.

10. *Mr. Meredith.*] I understand, from evidence given yesterday, that the trend of the river is in this direction, and the scour is working its way up, with the probability of undermining the piles driven under the face of this wharf; and in consequence of the danger the Railway Department incur an annual expenditure of about £1,400* with a view of driving a considerable number of piles deeper into the ground so that the effect of the scour may be restrained. Is that correct?—Practically correct.

11. Then the scour is practically in the direction of the wharf?—The velocity of the current is considerably against the wharves, which are protected by the stone pitching. It is perfectly right to protect with piles. It is essentially right, but the new portion of the staiths has not been affected by the river at all, only the old portion built in 1877–78. This scour was not foreseen then, and, as in many cases the piles were not driven quite deep enough, this will be remedied by the work mentioned, and the banks of the river maintained.

12. How long is it since you had an opportunity of seeing it?—I have not seen Westport since May last.

13. *Mr. O'Connor.*] Would you be good enough to distinguish between the scour and the encroachment on the banks; showing the scour and the purpose for which the wall was put in?—To deepen the river for vessels? Yes.

14. In your evidence you did not state that the training-wall caused a scour, and effected a deepening of the river?—It is doing that now.

15. Do you think there is a necessity for the piles being made to support the staiths? Is it necessary for the traffic, and to protect the Colliery Reserve?—I do not think there is any danger to the reserve.

16. In your remarks, Mr. Wilson, you described a portion of the reserve that would be sufficient to store a million and a quarter tons of coal: do you include in that the portion to the east of the railway?—No. It could, however, be more easily obtained for the purpose than the sections on Palmerston Street.

17. If it was thought necessary to increase the area well above what you say, would it not be easy to obtain all this from Wakefield Street right along the railway-line to Bentham Street? Could that not be easily obtainable?—I believe it could be obtained.

18. Could the other blocks, now in the hands of the Government, not be obtained for the purpose of storing coal?—They could probably be obtained.

19. You are aware these reserves are in the hands of the Government; could they be as available for the purposes of storing coal as other parts of the reserve?—This part would, to the west of Adderley Street. There is the railway embankment here, which would make it rather awkward to get at the other part. I believe it could be made use of; if not for storing trucks, then for shop purposes.

20. *The Chairman.*] That is not the question. Is there any large storage provided for at Mokihinui, Waimangaroa, and Granity?—At present the storage at Mokihinui is for about fifty wagons, and perhaps one hundred at Waimangaroa. I dare say there is another hundred at Granity; there is a large siding there.

21. *Mr. O'Connor.*] Are you aware what the anchorage is that is available for loading vessels; how many vessels could lie at Westport?—Say twelve vessels.

22. Is there any difficulty even now in the river—without double-banking the boats—with the small trade of the present time, when the river is in flood?—They can lie one outside the other.

23. Is not that a dangerous proceeding?—I cannot say I think it is very dangerous, so long as it stands at two boats; and there is good moorage on shore.

* I understood Mr. Meredith to say “an expenditure of about £1,400,” not “an ANNUAL expenditure of about £1,400.” It was on that supposition I answered. I know nothing of an annual expenditure of that amount.—J.A.W.

24. Supposing you had 1,000,000 tons of coal a year, what number of vessels would be required to anchor there in case of a flood?

(*The Chairman* objected to the length of the questions put, and the time taken up.)

25. *Mr. O'Connor.*] Have you any idea of the number of vessels which would be required to be in the river in order to carry on a trade such as you say this reserve provides for?—A million tons a year, which is really about all that can be expected from the staiths, and any cranes that may be erected, equals say, 3,333 tons per day. In the event of a block, lasting for two or three days, you might have to put out 6,666 tons per day, which would mean ten ships of about the size of the collier, "Janet Nicoll," to be loaded in twenty-four hours; and I think that is about all the berthage or staiths would possibly do. If more than a million tons were wanted, a floating basin would have to be constructed, and sidings obtained on the beach.

26. Have you a plan showing that?—[Plan produced.] This plan shows the floating basin as laid down by Mr. Napier Bell; that is what I refer to, where the sidings could be obtained.

27. Then your evidence may be summed up in this way: There is storage available for one million and a quarter tons of coal?—Yes, but I do not think it is possible to put the output at more than one million, taking the berthage and loading accommodation into consideration.

28. *The Chairman.*] Supposing this frontage was taken by the Railway Commissioners, would it not be more convenient to the railway than either here [pointing] or here, and cheaper to work than at the other end?—I do not think it would be any more convenient. I should think this would be more convenient, in point of fact.

29. *Mr. Hogg.*] What is about the distance from the end of the wharf here to the Palmerston Street point? How many chains in the narrowest part?—About 220ft., nearly three chains and a half.

Mr. HALES examined.

30. *The Chairman.*] You have heard the evidence; have you anything to tell the Committee?—Nothing that is new. Mr. Wilson has explained the case very clearly and accurately.

31. Can you give the Committee any further information which Mr. Wilson may have omitted?—I think he has given in his evidence a statement of all the circumstances within my knowledge.

32. You have nothing at all to add to the evidence?—No.

33. *Hon. Mr. Rolleston.*] You have been on the ground?—Yes.

Mr. Smith: He agrees with Mr. Wilson in all his facts.

Witness: I do not think he has mentioned anything not conformable with the case.

34. *Mr. Hogg.*] I suppose you have been there in the present year?—Yes; several times.

35. And can you say from your own observance that the scour is more since the staiths have been erected?—During the first flood, after the training-wall was put in, there was a scour, but not more than was to be expected. The old portion of the staiths was made when there was a much less depth of water in the river than there is now, so that it has done only what was to be expected.

36. You think the new portion is safe?—Yes.

37. And if the old portion was put right?—It would be safe, also. There is more water along the staiths, but there is no hole. About four or five of the piles were scoured out, but the gravel has settled around them again, so that the bottom is pretty regular along the whole front.

38. *The Chairman.*] You heard Mr. Wilson state a few moments ago that it is only three chains and a half from Palmerston Street: do you think it advisable to renew these leases so that it would alienate this strip of land? Would it not be prejudicial to the shipping?—I think not; there is plenty of room for sidings without this strip of land. I think it would be more inconvenient if all these business places were removed, and the ground taken for the station-yard. The reserve is very much larger than is usually given for railway-stations in the colony.

39. Then, if the output of coal is to increase, you still think these sections could be re-leased to the occupiers, without in any way interfering or hampering the trade in the port?—I do.

40. *Mr. O'Connor.*] Have you any idea of how the coalfield would be affected by any large output, as one million and a quarter of coal?—No; I have not gone into that question.

Mr. JAMES SUISTED examined.

41. *The Chairman.*] You will kindly give the Committee any information you can?—I am Chairman of the Westport Harbour Board. After hearing the evidence of our late engineer, Mr. Wilson, and the Engineer-in-chief, I can scarcely do any more than state that what they have said is substantially correct. In the event of any more impingement the Harbour Board have the means to cope with it. They have the quarries, and the plant to convey the stone to the river-bank to prevent any washing away. I may say I have been in Westport for the last twenty-two years, since 1877. The banks were pitched with stone, and since that time no encroachment whatever has taken place on the river-banks. They were not washed away in the slightest degree and should a very heavy flood come and impinge on the banks we have the means of dealing with it at once. A heavy flood, about six weeks or two months ago, certainly caused a scour at the staiths, throwing the current against them; since then there has been a continuous flood, but instead of doing any harm it has really filled up the scour for 6ft., and the whole bottom of the river has now been scoured out, and so the staiths are relieved from the danger and pressure of the current. There is nothing like the current now that there was six weeks ago, alongside the staiths. After some alterations by Mr. Reynolds, the engineer, it is anticipated there will be no danger whatever to the staiths. I can only state that what the Harbour Board Engineer has stated is substantially correct.

42. *Hon. Mr. McKenzie.*] Could you give the Committee any idea of the value of the rents of the block, if the leases were not renewed for five years?—I could not. I may state that the whole business portion of the town, with the exception of four or five places of business, are on the reserve.

43. Are the buildings good substantial ones?—Yes; they are wooden buildings. They are the only things the Harbour Board has to depend on for its revenue. It is deriving a very large revenue from the Colliery Reserve, and it would be a very serious thing if the lessees were to remove, which they would certainly do if the leases are not renewed.

44. *Hon. Mr. Rolleston.*] Have you read this Bill?—I have not read it all.

45. Are you aware that the Bill proposes to do away with the revenue as it stands? If this Bill does not pass, will the revenue continue?—The revenue will continue until the termination of the leases, which have only five or six years to run. I do not think any of them have longer than about six years more. They were for twenty-one years at the beginning.

46. Why should not the Harbour Board get the advantage of this, if it were put up to auction? Why should the Public Trustee not have the advantage?—The Harbour Board gets only the ground-rent.

47. But the land, if put up, would bring a higher rental?—I do not think so, I think the rent has been very excessive; some have, I think, paid as much as £20 per annum; 33ft. by 66ft. fetches £10.

48. Have there not been several valuations, the result of which has been to say that the rents are low, and there was no ground of complaint in respect of the rent?—I think not. There was a Commission appointed some time ago, and evidence was taken as to the value of the sections. It is before the Committee now.

49. *Hon. Mr. McKenzie.*] What would be the position at the end of five years? Have the people the right to remove the improvements, or get the valuations?—They can remove, but they have no right to the improvements.

50. Would the Harbour Board get tenants if the buildings were removed?—Nobody would take them up at a very short tenure.

51. *Hon. Mr. Rolleston.*] That presumes the right of removal?—The present holders have the right of removal, but no right to compensation.

Mr. O'Connor: Under the last Land Bill they have the right to compensation.

52. *Mr. Rhodes.*] What is the depth of these sections?—Some of them are 33ft. by 60ft., others 33ft. by 99ft.

53. *Mr. Hogg.*] I think when you were alluding to the scour, you said the position now is better than it was before the flood of two months ago?—Very much so. It is in the centre of the river, instead of impinging against the staiths. It is, between half-tide, still on the staiths.

54. As regards the harbour, you think the position is safer than it has been for years?—Quite as safe as since 1877.

55. With regard to the township, you say the present tenure is unsatisfactory and insecure?—They are insecure, inasmuch as they run out in five or six years, and the present occupiers wish to be assured that they will get renewals, so that they may know that they have the properties for a certain term.

56. Are they all wooden buildings?—Yes.

57. Then a tenure would alter the character of property and buildings?—No doubt.

58. Would it have any effect on the trade of the town?—We look to the improvement of trade as the coal industry develops.

59. Would this improve the trade? Is Westport under the control of a Borough Council?—Yes.

60. Has the Council been prevented from carrying out drainage for the preservation of the health of the place through this?—No. Within the last twelve months they have started drainage works.

61. I presume if the Railway authorities took possession, all these improvements would be wasted?—It would certainly have to be continued. We would have to continue it in the back portion of the town.

62. Is there any land available for the people behind this?—No.

63. Is there any possibility of forming a new township?—You would have to go up the river. The back sections are very swampy indeed, and are mostly held by absentees. There is no land to be bought; the most of it is in the hands of infants, and no Crown land available at all.

64. *Mr. Meredith.*] I understand the bulk of the low-lying land is not built on?—No.

65. Is it not possible to drain it into the river?—Yes; but it does not belong to the Crown.

66. Why is there any necessity for bringing in this Bill at present, as the leases will not terminate for five years?—It is a matter of security, so that tenants may know their position in the future. At the present time no one will buy a property with only five years' lease to run.

67. I ask you this question in consequence of some evidence before the Committee. If this matter stood over for a while, all parties would have an opportunity of saying whether the river encroached or not; and I suggest allowing the matter to stand over for a couple of years?—I think this is a matter which has been before the House many times for the last fourteen years. We have been continually agitating from year to year; and the tenants of the Westport Colliery Reserve were placed there by force of circumstances by the Government, when the old township was washed away. They have made the streets, footpaths, &c., and have received no compensation for it, and have not been treated well in the matter. With only a five-years' lease the lessees could not borrow money on their lands.

68. *The Chairman.*] In what condition are those buildings generally; how long would the buildings last the present tenants?—Many of them for twenty-five years. They would require piles, perhaps; but they are built of good timber.

69. Speaking generally, you think they are good for another twenty years?—Yes, most of them have iron sides and wooden frames.

70. *Mr. O'Connor.*] I want you to put to the Committee the conditions on which the tenants entered the land: what position they had first, why they were changed, and what promise of prosperity (increased) they have been granted by these leases?—As far as I understand, the position that the holder of a reserve lease occupied was: In 1872 the original township was washed away, and a Commission was appointed to inquire into the circumstances, and the people were placed on the present land by the Government of the Province of Nelson, by drawing lots, and each got a section for that which he had lost; they were divided into three classes.

71. Is that not equivalent to a perpetual lease?—After a great deal of trouble the section-holders obtained a lease for twenty-one years as they are now held.

72. Was the rent started at £2 10s.; and afterwards increased every seven years?—Yes, it was according to the class of section; the first seven years the rent was low, the next it was higher, and the last rent was £10 per annum.

73. The tenants had to accept these terms of increasing rent or forfeit their buildings and improvements?—Yes.

74. Was the rent made so on account of the increased prosperity and increased value?—It was thought so at the time. Before the goldfields were well opened, the prospects were thought great, and the progressive value was put on the land.

75. Have these anticipations been borne out?—No. I do not think we are as prosperous as in the time of the goldfields. From a business point of view we are not. Nearly the whole of the goods which the colliers require go direct to the mines. Westport is simply a depôt.

76. Is the rent in some cases found to be a rack-rent?—Such is the case; not in the main street, but in the back part of the town.

77. Will not the excessive rent be a ruinous thing for the bulk of those on the reserve?—It will be so indeed. They will have to shift their buildings, and those who have freeholds will want an enormous price for it.

78. Independent of that, are not the business men on the Colliery Reserve, and will it not ruin the business?—Certainly it would.

79. Has not the money borrowed by the Harbour Board been borrowed on the security of that property?—That is so, partly. It is looked on as a splendid endowment, too. The longer the leases the longer it would insure a revenue to the Board.

Mr. HUGHES was next called, but stated that he had nothing to add to what had been adduced already.

Mr. NAHR had nothing to say in addition to what had been said by other witnesses.

Mr. SAMUEL RILEY said that he had been a master of a small boat at Westport for twenty years, and there was hardly a change in the river which he would not have noticed. He did not think it had been brought before the Committee that it would be a matter of impossibility for the banks to be washed away. The Harbour Board had the railway running alongside the river, and all that was necessary to be done was to load the trucks with stone and tip them into the river.

No. 2.

Mr. PILCHER, Secretary to the Railway Commissioners, to the *CHAIRMAN*, Waste Lands Committee.

New Zealand Government Railways, Head Office, Wellington,

SIR,—

13th September, 1893.

With reference to your letter of 5th instant, enclosing the Westland and Nelson Coalfields Administration Act 1877 Amendment Bill, and asking for report thereon, I am directed to inform you that the Railway Commissioners, being of opinion that the whole of the Westport Colliery Reserve may be required for railway and shipping purposes as the coalfields become more developed, think that it would be unwise to hamper the future trade by granting leases on the reserve for twenty-one years, with right of renewal for another twenty-one years. It seems to them that it would be better to delay dealing with the existing leases until they are more nearly run out, as new coalfields are now being opened out at Granity Creek and Mokihiui, and there is every appearance of a greatly-increased trade within the next few years, which will necessitate a greater area of the reserve being used for railway purposes.

In reporting, in May last, to the Commission appointed to inquire and report on the reserve, the Railway Commissioners, while not approving of granting leasehold tenures of the reserve for long periods, admitted that certain specified portions might be re-let for twenty-one years. But as, since then, the training-wall recently erected has so deflected the current of the Buller River as to threaten the washing-away of part of the reserve, the Commissioners would seek to withdraw their countenance from any dealings with the leases on it at present. The uncertainties in connection with the river-works, the future requirements from expansion of trade, and the fact that the interests and convenience of the port are the paramount considerations in this matter, lead them to the conclusion that there should be no dealings with the reserve in anticipation of the expiry of the existing leases on it.

I have, &c.,

The Chairman, Waste Lands Committee,
House of Representatives.

E. G. PILCHER, Secretary.

[AS REPORTED FROM THE WASTE LANDS COMMITTEE, 26TH SEPT., 1893.]

Hon. Mr. McKenzie.

WESTLAND AND NELSON COALFIELDS ADMINISTRATION ACT 1877 AMENDMENT.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Provision as to lands within Westport Colliery Reserve.</p> <p>3. Governor may set apart additional reserves.</p> <p>4. Rights of tenants holding under Orders in Council.</p> | <p>5. Respecting other tenancies.</p> <p>6. If on expiration of lease, lands reserved, lessee may remove his improvements.</p> <p>7. Power of Board to dispose of unlet portions of Colliery Reserve.</p> |
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A BILL INTITULED

AN ACT to amend "The Westland and Nelson Coalfields Administration Act, 1877."

BE IT 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 Westland and Nelson Coalfields Administration Act 1877 Amendment Act, 1893."

2. The following provisions shall have operation in respect of the Westport Colliery Reserve, as the same is defined in the Fourth Schedule to "The Westland and Nelson Coalfields Administration Act, 1877," and shall be read as part of that Act.

3. The Governor, by Order in Council, gazetted, to be issued as soon as may be after the commencement of this Act, shall define such further portions of the aforesaid reserve, in addition to the portions thereof already set apart for railway purposes by an Order in Council of the twenty-third day of February, one thousand eight hundred and seventy-six (*Gazette*, 1876, page 200), as are likely to be required for railway purposes or other public purposes, and shall set apart such further portions for the aforesaid purposes accordingly.

4. With respect to lands included within any such first-mentioned Order in Council as set apart for railway or other public purposes, every lessee of land which is not immediately required for railway purposes shall continue to hold his lease subject to the conditions upon which the same was granted, but subject to the power of the Governor to take the land comprised therein as aforesaid.

The provisions of section eighteen of the last-named Act shall apply in respect of all the aforesaid leases, and to the respective holders thereof, and to the compensation to be paid for any land taken for railway or other purposes, in the same manner as in the said section provided with respect to land set apart by the Order in Council of the twenty-third day of February, one thousand eight hundred and seventy-six, in the said section mentioned.

2 *Westland and Nelson Coalfields Administration Act 1877*
Amendment.

Respecting other
 tenancies.

5. With respect to lands not included within either of the aforesaid Orders in Council—

(a.) Every lessee of any part of the said reserve may at any time within twelve months after the commencement of this Act apply to the Land Board for a revaluation of the land comprised in his lease. 5

The Board, subject to the approval of the Governor, but not before the gazetting of the Order in Council first above mentioned in section *three*, may cause a valuation to be made of the remainder of the said land, without improvements, and on the surrender of the original lease may grant the lessee a new lease of the land comprised in his original lease, at a rent based upon the aforesaid valuation, for a term not exceeding twenty-one years, ~~with the right of renewal for another term of twenty-one years, subject to a new valuation being made of the land, without improvements, at the expiration of every such term.~~ 10 15

(b.) Every lessee, as last aforesaid, who does not obtain a renewal of his lease under the last-preceding subsection, shall continue to hold his lease on the terms on which the same was originally granted, or upon such amended or altered terms as may be mutually agreed upon by both the parties, and on the expiration or determination thereof, and on the expiration or determination of every future lease to be made of the portion of the said reserve mentioned in this subsection, the following provisions shall take effect:— 20

- (1.) The improvements made by the lessee or his tenant on the land comprised in any such lease shall be valued in such manner as the Board shall direct; 25
- (2.) The rental of each lease shall be fixed by the Board;
- (3.) The right to the lease shall be disposed of by public auction;
- (4.) If the lessee shall not become the purchaser, the purchaser of the lease shall pay to the Receiver of Land Revenue or other officer appointed by the Board, as a premium or foregift, the value of the improvements, to be so fixed as aforesaid. 30

Prior to the lease being issued, and in default of such payment, the person entitled to such value may retain possession of the demised land on the original terms until payment shall have been made of the value aforesaid. 35

All moneys so paid to the Receiver shall be handed over by him to the outgoing lessee, less the amount of all expenses incurred in obtaining such moneys. 40

If, on expiration of
 lease, lands reserved,
 lessee may remove
 his improvements.

6. If, upon the expiration or determination of any lease, the Governor, by Order in Council, shall see fit to reserve the demised lands for railway purposes, then no compensation for improvements made on such lands shall be claimed by the outgoing lessee; but he shall be entitled to remove the said improvements within such time after the aforesaid expiration or determination as may be granted to him in that behalf by the Governor. 45

Westland and Nelson Coalfields Administration Act 1877 3
Amendment.

7. The Board may from time to time dispose of by lease any un-
let portions of the Colliery Reserve not set apart for railway or other
public purposes, for any term not exceeding twenty-one years, sub-
ject to the right of renewal as mentioned in paragraph (a) of section
5 five, at such rent and on such conditions and covenants as they
think fit; and every such lease shall be disposed of at public auction.

Power of Board to
dispose of unlet
portions of Colliery
Reserve.

By Authority: SAMUEL COSTALL, Government Printer, Wellington.—1893.