

PART 15. SHOULD THE INNER HARBOUR LEGISLATION OF 1914 BE REVOKED ?

Our order of reference, after submitting seven specific questions to us, requires us generally to inquire into and report upon the premises, and any matters arising thereout which may come under our notice in the course of our inquiries and which we consider should be investigated in connection therewith.

Prior to the setting-out of the seven questions referred to a number of matters are premised in the form of recitals, and are therefore the premises into which we are to inquire and upon which we are to report. One of these recitals appears in the following words: "Whereas by the Napier Harbour Board Empowering and Loan Act, 1914, the Board was, subject to the provisions of the Harbours Act, 1908, and of the said Act of 1914, duly authorized to construct such harbour-works as should by the Board be considered necessary for the requirements of the Harbour of Napier in and about the construction, completion, development, and improvement of the Inner Harbour portion of the said harbour. . . . And whereas it appears to the Government that it is expedient to appoint a Commission to make inquiry into and report regarding the question as to whether the authority to construct wholly or in part the works specified in the Napier Harbour Board Empowering and Loan Act, 1914, should be continued in force and the work authorized in due course, or whether legislation should be enacted to revoke the said authority wholly or in part. . . ." The works specified in the Napier Harbour Board Empowering and Loan Act, 1914 (which we shall hereafter refer to as "the said Act") comprise, firstly, the construction, completion, and development of the Inner Harbour; secondly, the repair and renewal of certain parts of the existing Inner Harbour; and, thirdly, certain reclamation works; and these authorities are contained respectively in sections 7, 8, and 14.

The whole question of reclamation and our recommendations in relation thereto will be found contained in Part 18 of this report. We propose now to give attention to the question of whether or not the authority to construct wholly or in part the work specified in sections 7 and 8 of the said Act should be continued in force and the work authorized in due course, or legislation should be enacted to revoke the said authority.

We have in earlier portions of this report, in answer to certain of Your Excellency's specific questions, answered that in our opinion the Inner Harbour scheme of the Napier Harbour Board was not the best and most suitable harbour from an engineering, navigational, and economic point of view, and further, that, in our opinion, the expenditure of further sums of money on harbour development at Napier cannot be justified from the financial and economic aspect.

We are of opinion that it follows as a logical sequel to these answers that the authority contained in section 7 of the said Act should be revoked. We are further of opinion that the expenditure of any sums that have so far been spent in the exercise of the powers thereby created should be ratified and validated notwithstanding the revocation of the said authority. Of the sum which the 1914 Act authorized to be raised — viz., £300,000 — the Harbour Board has raised in all £247,100, leaving unborrowed the sum of £52,900, and we recommend that the authority to borrow that sum be revoked. Of the sum of £247,100, the sum of £175,135 had been expended up to the 30th September, 1926, leaving at that date a sum of £71,965 unexpended.

The Board had entered into certain undertakings for renewal and extension of its existing wharf facilities at the Inner Harbour, and the reconstruction of the eastern and western moles at the entrance channel to that harbour, at an estimated cost of £37,884. We also recommend in Part 16 hereof that the sum of £3,745 be expended upon putting the existing works at the Breakwater Harbour in a state of good repair and efficiency; also that £2,500 be spent on a new boiler for the Board's dredge J.D.O. These works total £44,129 (see Exhibits Nos. 96 and 97). This sum expended out of the above balance of £71,965 leaves loan-moneys in hand £27,836, less probably some portion of the loan-money spent since the 30th September, 1926, not included in the above repair and renewal items. We recommend that the Board be authorized to expend the said loan-moneys in hand on the said repair and replacement works, and that the balance be invested as a Reserve Fund available for future harbour-works when authorized.

As to the power to expend £50,000 on certain repairs and renewals bestowed by the proviso to section 8 of the said Act, the position is that these powers have been exercised and exhausted, and no recommendation is necessary. On page 17 of our report will be found a table of expenditure showing the details of the expenditure of the whole of the £50,000 authorized to be raised by the said proviso to section 8. This sum of £50,000 is included in the sum of £175,135 mentioned above as having been expended.

The Chairman of the Harbour Board, Mr. A. E. Jull, when giving evidence, referred to the matter of the Commission being asked to make a recommendation on the present subject-matter. Mr. Jull said (see page 42, Notes of Evidence), "It must be remembered that any proposal to repeal legislation authorizing a local authority to do certain work, particularly when that local authority have had the acquiescence of the people, who will be called upon to become responsible for that expenditure—that such a suggestion is, as far as I know, without precedent in this country, and will evoke, I undertake to say, violent opposition from all local authorities in the country, as it would mean practically a substitution of bureaucratic control for local Government."