

Mount Maunganui Borough Reclamation and Empowering Act Repeal Bill

Local Bill

As reported from the Local Government and
Environment Committee

Commentary

Recommendation

The Local Government and Environment Committee has examined the Mount Maunganui Borough Reclamation and Empowering Act Repeal Bill and recommends that it be passed with the amendments shown.

Introduction

This bill seeks to repeal the Mount Maunganui Borough Reclamation and Empowering Act 1975. The Act gave the Bay of Plenty Harbour Board the authority to transfer part of the seabed of Tauranga Harbour to the Mount Maunganui Borough Council, and authorised the council to undertake reclamation of that part of the harbour for sewerage and other municipal purposes.

The council reclaimed less than half of the available area, and the authority to undertake reclamation of the balance was revoked by enactment of the Foreshore and Seabed Endowment Revesting Act

1991. The Mount Maunganui Borough Reclamation and Empowering Act therefore has no substantive legal effect.

Repeal of the Act

We recommend inserting new clause 5, a “sunset” clause that would provide for the Act to expire 28 days after it came into force. Without such a clause, one Act with no continuing effect would be replaced in the statute books with another.

Appendix

Committee process

The Mount Maunganui Borough Reclamation and Empowering Act Repeal Bill was referred to the committee on 13 June 2012. The closing date for submissions was 26 July 2012. We received and considered one submission from an interested group. We heard one submission.

We received advice from the Department of Internal Affairs.

Committee membership

Nicky Wagner (Chairperson)

Maggie Barry

Jacqui Dean

Paul Goldsmith

Gareth Hughes

Raymond Huo

Nikki Kaye

Hon Annette King

Moana Mackey

Eugenie Sage

Hon Dr Nick Smith

Andrew Williams

**Mount Maunganui Borough Reclamation
and Empowering Act Repeal Bill**

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

Te Ururoa Flavell

**Mount Maunganui Borough
Reclamation and Empowering Act
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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Mount Maunganui Borough Reclamation and Empowering Act Repeal Act **2012**.

- 2 Commencement** 5
This Act comes into force on the day after the date on which it receives the Royal assent.

- 3 Purpose** 10
The purpose of this Act is to repeal the Mount Maunganui Borough Reclamation and Empowering Act 1975.

**4 Repeal of Mount Maunganui Borough Reclamation and
Empowering Act 1975**

The Mount Maunganui Borough Reclamation and Empowering Act 1975 (1975 No 11(L)) is repealed.

5 Repeal of this Act

5

This Act is repealed on the day that is 28 days after the date
on which it comes into force.

Legislative history

22 May 2012

Introduction (Bill 18–1)

13 June 2012

First reading and referral to Local Government and
Environment Committee