

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
20th October, 1948*

Mr. Anderton

AUCKLAND CITY COUNCIL AND AUCKLAND
HARBOUR BOARD EMPOWERING

[LOCAL BILL]

Title.	ANALYSIS
Preamble.	
1. Short Title.	3. Empowering Auckland Harbour Board to transfer certain land to the Auckland City Council.
2. Validating erection of embankment and validating reclamation of tidal lands by Auckland City Council.	Schedule.

A BILL INTITULED

AN ACT to validate the Reclamation by the Auckland City Council of certain Tidal Lands of the Manukau Harbour and to empower the Auckland Harbour Board to transfer the Land so reclaimed to the Corporation of the City of Auckland. Title.

WHEREAS in the construction of waterworks the Auckland City Council (hereinafter referred to as the Council) has erected an embankment across the Nihotupu River on portion of the tidal lands of the Manukau Harbour and has reclaimed from the waters of the said harbour that part of the said Nihotupu River lying between the said embankment and the former limit of tidal action in the said river, such former limit being defined on a plan deposited in the Land Registry Office at Auckland as Number 19340: Preamble.

And whereas before erecting the said embankment and

2 *Auckland City Council and Auckland Harbour
Board Empowering*

reclaiming the said tidal lands the Council did not obtain the authority and sanction of the Governor-General as provided in sections one hundred and sixty-eight and one hundred and seventy-one of the Harbours Act, 1923: And whereas the Auckland Harbour Board (hereinafter referred to as the Board) is desirous of transferring to the Corporation of the City of Auckland, without consideration, the land which the Council has reclaimed from the waters of the Manukau Harbour as aforesaid, but the Board has no power to transfer the said land:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title. **1.** This Act may be cited as the Auckland City Council and Auckland Harbour Board Empowering Act, 1948. 15

Validating erection of embankment and validating reclamation of tidal lands by Auckland City Council. **2.** Notwithstanding the provisions of sections one hundred and sixty-eight and one hundred and seventy-one of the Harbours Act, 1923, the erection of the said embankment and the reclamation of the said tidal lands is hereby validated in all respects as though the provisions of those sections had been duly complied with and the necessary authority and sanction had been duly given prior to the erection of the said embankment and the reclamation of the said tidal lands. 20 25

Empowering Auckland Harbour Board to transfer certain land to the Auckland City Council. **3.** Notwithstanding anything contained in section five of the Manukau Harbour Control Act, 1911, or in any other Act, the Board is hereby empowered to transfer, without consideration, the land reclaimed as aforesaid, and more particularly described in the Schedule hereto, to the Corporation of the City of Auckland to be held by it for waterworks purposes. 30

SCHEDULE

Schedule.

ALL that area of land containing approximately 1 acre 3 roods, being formerly tidal lands in the Manukau Harbour, but now having been reclaimed from the waters of the Manukau Harbour by the Auckland City Council, and being that part of the bed of the Nihotupu River adjoining portions of Allotments 33 and 35, of the Parish of Waikomiti, and lying between the position of the said river shown as the limit of tidal action on a plan deposited in the Land Registry Office at Auckland as No. 19340 and the south-eastern face of the embankment which has been erected across the said river approximately 580 links south-east of the south-eastern alignment of the Auckland-Huia Road; as more particularly delineated on a plan, marked M.D. 8753, deposited in the office of the Marine Department at Wellington.