

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE, 14TH OCTOBER, 1904.]

Mr. Alison.

AUCKLAND HARBOUR BOARD AND DEVONPORT BOROUGH COUNCIL EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to empower the Auckland Harbour Board to convey a certain Portion of Shoal Bay of the Harbour of Auckland to the Devonport Borough Council for a Public Domain and Park and Recreation-ground.

Title.

WHEREAS the Auckland Harbour Board is the owner in fee-simple of all that piece of land described in the Schedule hereto: And whereas the said Board on the fifteenth day of September, one thousand nine hundred and three, by resolution resolved to consent to the vesting of the said land in the body corporate known as the Mayor, Councillors, and Burgesses of the Borough of Devonport for the purpose of a public domain and park and recreation-ground: And whereas the owners of riparian rights and rights of access to Shoal Bay in connection with the said land have agreed to surrender to the Auckland Harbour Board all their interest in and claims to riparian rights and rights of access affecting or relating to the said land as aforesaid:

Preamble.

BE IT THEREFORE 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 Auckland Harbour Board and Devonport Borough Council Empowering Act, 1904."

Short Title.

2. In this Act, if not inconsistent with the context, where the following terms are used they shall have the meanings hereinafter stated, that is to say:—

Interpretation.

"The Board" shall mean the Auckland Harbour Board:

"The Devonport Borough Council" shall mean the body corporate of the Mayor, Councillors, and Burgesses of the Borough of Devonport.

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Empowering.*

Board empowered  
to transfer land.

3. The Board, upon its being satisfied that all riparian rights or rights of access by water appertaining to the lands abutting on the land described in the Schedule hereto have been extinguished, may and it is hereby authorised and empowered to convey and transfer to the Devonport Borough Council all that piece of land described in the Schedule hereto. 5

No riparian rights  
to follow transfer.

4. No riparian rights or rights of access by water shall appertain to the lands so conveyed or transferred.

Public domain and  
park.

5. The Devonport Borough Council shall hold such land for the purposes of a public domain and park and recreation-ground within the meaning of "The Public Domains Act, 1881," and its amendments, and subject to the law for the time being in force relating to the management of public domains. 10

SCHEDULE.

Schedule.

*Struck out.*

ALL that area in the Provincial District of Auckland, containing by admeasurement 19 acres, more or less, and being portion of Shoal Bay, in the Harbour of Auckland. Commencing at the intersection of high-water mark and the eastern alignment of Lytton Street; thence southerly by high-water mark along the abatement of Lytton Street and the seaward boundaries of Allotments 134, 133, 132, and 131 of the subdivision of Lots 27 and 28 of Section 2 of the Parish of Takapuna; thence south-easterly by high-water mark along the seaward boundaries of Abbotsford Terrace, Allotments 121 and 122 of the same subdivision, Mosley Avenue, and Allotment 83 of the same subdivision; thence southerly by high-water mark along the seaward boundaries of Allotment 82 of the same subdivision, Cameron Street, Allotment 53 of the same subdivision, Alison Avenue, and Allotment 23 of the same subdivision; thence north-westerly by high-water mark along the seaward boundaries of Allotment 125 of the subdivision of Lot 25 of the same section, Shoal Bay Road, Allotment 58 of the subdivision of Lot 29 of the same section, Roslyn Terrace, and Allotment 54 of the same subdivision; thence generally westerly by high-water mark along the seaward boundaries of Allotment 57 of the same subdivision, Kiwi Road, Allotments 26 and 27 of the same subdivision, Cautley Street, and Allotment 52 of the same subdivision; thence north-westerly by high-water mark along the seaward boundaries of Allotments 25, 26, 27, 28, and 29 of the subdivision of Lot 30 of the same section; thence north-easterly by a line 1780 links to the point of commencement: be all the aforesaid admeasurements a little more or less: as the same is delineated on plan hereto annexed.

*New.*

ALL that area in the Auckland Land District, containing by admeasurement 19 acres, more or less, being portion of Shoal Bay, Waitemata Harbour. Bounded by a line commencing at the intersection of the eastern side of Lytton Street, Borough of Devonport, with the high-water mark of Shoal Bay, and proceeding thence southerly along the abuttal of Lytton Street to Allotment No. 134 of Lot 28, Parish of Takapuna; thence along the western boundary of the said Allotment No. 134, and the western boundaries of Allotments Nos. 133, 132, and 131 to Abbotsford Terrace; thence along the abuttal of Abbotsford Terrace to Allotment No. 121 of the said Lot 28; thence along the western boundary of the said Allotment No. 121 and the western boundary of Allotment No. 122 to Mozley Avenue; thence along the abuttal of Mozley Avenue to Allotment No. 83 of Lot 27 of Section No. 2, Parish of Takapuna; thence along the western boundary of the said allotment No. 83 and the western boundary of Allotment No. 82 to Cameron Street; thence along the abuttal of Cameron Street to Allotment No. 53 of the said Lot No. 27; thence along the western boundary of the said Allotment No. 53 to Alison Avenue; thence along the abuttal of Alison Avenue to Allotment No. 23 of the said Lot 27; thence along the western boundary of the said Allotment No. 23 to

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Empowering.*

its south-western corner; thence north-westerly along the north-eastern boundary of Allotment No. 125 of Lot 25 of the said section No. 2 to Shoal Bay Road; thence along the abuttal of Shoal Bay Road to Allotment No. 58 of Lot No. 29 of the said Section No. 2; thence along the north-eastern boundary of the said Allotment No. 58 to Roslyn Terrace; thence along the abuttal of Roslyn Terrace to Allotment No. 54 of the said Lot No. 29; thence along the north-eastern boundary of the said Allotment No. 54 and the northern boundary of Allotment No. 57 to Kiwi Road; thence westerly along the abuttal of Kiwi Road to Allotment No. 26 of the said Lot 29; thence along the northern boundary of the said Allotment No. 26 and the northern boundary of Allotment No. 27 to Cautley Street; thence north-westerly along the abuttal of Cautley Street to Allotment No. 52 of the said Lot 29; thence north-westerly along the north-eastern boundary of the said Allotment No. 52, and the north-eastern boundaries of Allotments Nos. 25, 26, 27, 28, and 29 of Lot 30 of Section No. 2, Parish of Takapuna, to the northernmost corner of the last-mentioned allotment; thence north-easterly along a right line measuring 1,780 links (a little more or less) to the intersection of high-water mark of Shoal Bay by the eastern side of Lytton Street, the point of commencement: as the same is delineated on the plan deposited in the District Survey Office, at Auckland.