

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 20th September, 1944.

Mr. Anderton

AUCKLAND HARBOUR BOARD EMPOWERING

[LOCAL BILL]

ANALYSIS

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A BILL INTITULED

AN ACT to empower the Auckland Harbour Board to
lease certain lands and to include the Auckland
Harbour Board as a Local Authority under the Fire
5 Brigades Act, 1926. Title.

WHEREAS it is desirable that the importation and
handling of petrol and other petroleum derivatives in
bulk through the Port of Auckland shall be confined to
a special section of the Auckland Harbour set apart
10 from the main commercial wharves for that purpose: Preamble.

And whereas the Auckland Harbour Board (hereinafter referred to as the Board) has constructed for such purposes a wharf, known as the Western Wharf: And whereas the importation and handling of petrol and petroleum derivatives necessitates the occupation 5 by companies engaged in the trade of considerable areas of land in close proximity to the Western Wharf: And whereas the increased volume of the trade in petrol and petroleum derivatives has rendered land available under the existing system of subdivision of the area occupied 10 inadequate for the purpose: And whereas the Board desires to remedy the inadequacy by altering the existing subdivision and securing to the companies concerned the areas of land which it is proposed to lease to such companies and to effect such changes in titles 15 as are necessary: And whereas the Board is desirous of becoming a local authority within the meaning of that term in the Fire Brigades Act, 1926:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament Assembled, and by the 20 authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Auckland Harbour Board Empowering Act, 1944.

Stopping part of Hamer Street and lease to Shell Company of New Zealand, Limited.

2. That portion of Hamer Street included in Lot Two of the lands described in the *First* Schedule hereto 25 is hereby declared to be stopped and the fee-simple thereof vested in the Board, and the Board is hereby authorized to grant a lease to the Shell Company of New Zealand, Limited, of all those parcels of land described in the *First* Schedule hereto at such rent as 30 shall be agreed upon by the Board and the Shell Company of New Zealand, Limited.

Lease to Caltex Limited.

3. The Board is hereby empowered to grant a lease to Caltex Limited of those parcels of land described in the *Second* Schedule hereto at such rent as shall be 35 agreed upon by the Board and Caltex Limited.

Surrender of lease by Shell Company of New Zealand, Limited, and leases to Shell Company of New Zealand, Limited, and Associated Motorists Petrol Company, Limited.

4. The Board is hereby empowered to accept a surrender of the lease granted to the Shell Company of New Zealand, Limited, of the lands described in the *Third* Schedule hereto as well as other lands included 40 in such lease, and thereupon the Board is empowered to grant a lease to Associated Motorists Petrol Company, Limited, of ~~such~~ the lands described in the *Third* Schedule hereto at such rent as shall be agreed upon by the Board and Associated Motorists Petrol Company, 45

Limited, and to grant a new lease to the Shell Company of New Zealand, Limited, of the other lands comprised in the lease so surrendered for ~~such original term and the residue of the original term~~ at such rent as shall be
5 agreed upon by the Board and the Shell Company of New Zealand, Limited.

10 5. That portion of Daldy Street, in the City of Auckland, as described in the *Fourth* Schedule hereto is hereby declared to be stopped and the fee-simple thereof to grant a lease of such land to the Vacuum Oil Company Proprietary, Limited, at such rent as shall be agreed upon by the Board and the Vacuum Oil Company Proprietary, Limited.

Stopping part of Daldy Street and leasing to Vacuum Oil Company Proprietary, Limited.

15 *Struck out*

6. All the leases authorized by this Act shall be exempt from the provisions of the Servicemen's Settlement and Land Sales Act, 1943, and

Exempting from section 8 of the Public Bodies' Leases Act, 1908.

20 *In granting the leases authorized by this Act, it shall not be necessary for the Board to comply with section eight of the Public Bodies' Leases Act, 1908, but otherwise the provisions of ~~such Act shall apply. that Act shall apply to the leases.~~*

25 7. The District Land Registrar of the District of Auckland is hereby directed, *on the production of such survey plans as he may require*, to make such alterations in the register and issue such titles as may be necessary to carry into effect the provisions of this Act.

Authority to District Land Registrar.

30 8. The definition of the term "local authority" in section two of the Fire Brigades Act, 1926, is hereby extended to include the Auckland Harbour Board.

Extending of term "local authority."

SCHEDULES

Schedules.

FIRST SCHEDULE

FIRSTLY, all that piece or parcel of land containing 2 roods 11.5 perches, more or less, being portion of the land reclaimed from the sea known as Western Reclamation, which land is shown as Lot 1 and coloured green on the plan deposited in the office of the Lands and Survey Department at Auckland under Number S.O. 33281.

And, secondly, all that piece or parcel of land containing 1 acre 2 roods 6.9 perches, more or less, being portion of the

land reclaimed from the sea known as Western Reclamation and including ~~area of stopped road~~ *portion of Hamer Street* adjoining Lots 67, 69, 71, 73, 74, 75, and 76 on a plan deposited in the Land Registry Office at Auckland under Number 27338, all of which land is shown as Lot 2 and coloured green on the plan deposited in the office of the Lands and Survey Department at Auckland under Number S.O. 33281.

SECOND SCHEDULE

ALL that piece of land containing 1 rood 13·13 perches more or less, being Lots 28 and 29 of the reclamation from the sea known as Western Reclamation, as shown on a plan deposited in the Land Registry Office at Auckland under Number 27338, which piece of land is portion of the land comprised in certificate of title, Volume 599, folio 145 (Auckland Registry), and is shown coloured, pink on a plan deposited in the office of the Lands and Survey Department at Auckland under Number S.O. 33281.

THIRD SCHEDULE

ALL that piece of land containing 2 acres 18·4 perches, more or less, being Lots 13, 14, 15, 16, 17, 18, 19, 20, and 21, and Part 22 of the reclamation from the sea known as Western Reclamation, all the said lots being shown on a plan deposited in the Land Registry Office at Auckland under Number 27338, and being portions of lands comprised in certificates of title, Volume 599, folio 145, and Volume 599, folio 146 (Auckland Registry), all of the said lands being shown coloured yellow on the plan deposited in the office of the Lands and Survey Department at Auckland under Number S.O. 33281.

FOURTH SCHEDULE

ALL that piece of land containing 2 roods 31·45 perches, more or less, being part of Daldy Street, in the City of Auckland, which piece of land is bounded on the east by lots 31, 32, 33, 34, 35, 36, and one of Block ~~XII~~ VII, being part of lands comprised in certificate of title, Volume 764, folio ~~292~~ 242 (Auckland Registry), and on the west by Block III, being land comprised in certificate of title, Volume 767, folio 234 (Auckland Registry), ~~which road proposed to be stopped is~~ *all of the said land being* shown coloured blue on the plan deposited in the office of the Lands and Survey Department at Auckland under Number S.O. 33281.