

Mr Douglas

**AUCKLAND HARBOUR BOARD LOAN
AND EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to authorise the Auckland Harbour Board to borrow the sum of four million four hundred and seventeen thousand pounds for harbour works and other purposes,
5 **which sum includes the sum of three hundred and fifty-two thousand pounds to be borrowed pursuant to the Auckland Harbour Board (Lynfield Development) Loan and Empowering Act 1960 as amended by this Act**

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

1. Short Title—This Act may be cited as the Auckland Harbour Board Loan and Empowering Act 1965.

No. 42—1

Price 6d.

2 *Auckland Harbour Board Loan and Empowering*

2. Interpretation—In this Act, unless the context otherwise requires, “Board” means the Auckland Harbour Board.

3. Special Act—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

4. Works authorised—(1) Works and matters specified in the First Schedule to this Act shall, for the purposes of the Harbours Act 1950, or any other Act, be deemed to be harbour works. 5

(2) The Board is hereby authorised, subject to the Harbours Act 1950, to construct and carry out the said harbour works and, notwithstanding anything contained in subsection (3) of section 175 of that Act, to reclaim from the sea the areas described in the Third Schedule to this Act. 10

5. Amendment to Auckland Harbour Board Loan and Empowering Act 1955—Section 3 of the Auckland Harbour Board Loan and Empowering Act 1955 is hereby amended by repealing the proviso thereto. 15

6. Amendments to Auckland Harbour Board (Lynfield Development Loan and Empowering Act 1960—(1) Subsection (1) of section 7 of the Auckland Harbour Board (Lynfield Development) Loan and Empowering Act 1960 is hereby amended by omitting the words “four hundred thousand pounds”, and substituting the words “seven hundred and fifty-two thousand pounds.” 20

(2) The Second Schedule to the said Act is hereby amended by inserting, after the words “this Act”, the words “or any part or parts thereof and notwithstanding the issue of any new title or titles therefor and by omitting the figure “300,000”, and substituting the figure “652,000”. 25

(3) The said amendments shall be deemed to be and to have been included in the said Act as from the commencement of that Act. 30

7. Application of provisions of Town and Country Planning Act 1953 to reclamation at Hobson Bay—(1) The area described in the Fourth Schedule to this Act comprising the area described in Part II of the Third Schedule to this Act and the areas authorised to be reclaimed by Orders in Council dated the twenty-fifth day of May nineteen hundred and sixty-four, and the second day of September, nineteen hundred and sixty-four, and appearing in the *Gazette* 35 40

of that year at pages 998 and 1524 respectively, are hereby declared to be included in the district of the Auckland City Council for the purposes of the Town and Country Planning Act 1953, and the provisions of that Act shall apply to
5 the whole of that area, whether or not it has been reclaimed.

(2) The proposed reclamation and reclaiming of the said area (including any reclamation completed under the authority of the said Orders in Council) and any roading, drainage, or other servicing, and the subdivision and leasing of any
10 such reclaimed land, shall be deemed to be a public work for which the Board has jurisdiction within the district and for which it has financial responsibility under section 21 of the Town and Country Planning Act 1953, and the Council shall forthwith on receiving notification of the Board's re-
15 quirements make provision pursuant to the provisions of that Act for those requirements in the District Scheme for the City of Auckland to the Board's satisfaction and make such changes as are necessary to incorporate the said requirements in that District Scheme:

20 Provided that nothing in this subsection shall in itself be construed to take away any rights of objection or appeal which any person or the Minister of Works or any local authority would otherwise have under the Town and Country Planning Act 1953 to any such requirements or change in
25 the said District Scheme.

8. Power to borrow—It shall be lawful for the Board from time to time as it may require to borrow, in addition to the sums authorised by any previous Acts and subject to the provisions of the Harbours Act 1950 and the Local Authorities Loans Act 1956, a sum or sums of money not exceeding
30 in the aggregate the sum of four million and sixty-five thousand pounds.

9. Expenditure of money—All the money borrowed under and by the authority of this Act shall be applied and expended
35 in the construction of the harbour works and for the other purposes specified in the First and Second Schedules to this Act.

SCHEDULES

Sections 4, 9

FIRST SCHEDULE

WORKS AUTHORISED

	£
Dredging Plant	400,000
Mechanical handling equipment	100,000
Westhaven boat harbour facilities	275,000
Eastern foreshore development – construction of Tasman Wharf and reclamation, including roading, drainage, and other servicing, of an area containing 22.25 acres in the vicinity of the said Wharf and described in <u>Part I</u> of the <u>Third</u> Schedule to this Act	2,500,000
Reclamation of an area containing 78 acres in the vicinity of Hobson Bay and described in <u>Part II</u> of the <u>Third</u> Schedule to this Act, and roading, drainage, and other servicing, of the area described in the <u>Fourth</u> Schedule to this Act	750,000
	£4,025,000

SECOND SCHEDULE

	£
Loan issuing expenses	40,000

Section 4

THIRD SCHEDULE

RECLAMATION AUTHORISED

PART I

ALL that area containing by admeasurement 22.25 acres, more or less, being part of the bed of the Waitemata Harbour and being the part of the land contained in Crown Grant dated the 9th day of January 1855 to the Auckland Harbour Board recorded in Volume 25b, folio 701, of the Deeds Register books at Auckland and indexed under Number 33A.195 and being shown edged red on the plan marked M.D. 12028 and deposited in the office of the Marine Department, Wellington.

PART II

ALL that area containing by admeasurement 78 acres, more or less, being land situated below high-water mark in the harbour of Auckland and being part of the land contained in certificate of title, Volume 55, folio 236 (North Auckland Registry), and being the area shown edged red on the plan marked M.D. 12029 and deposited in the office of the Marine Department, Wellington.

FOURTH SCHEDULE

Section 7

ALL that area containing by admeasurement 87 acres 2 roods 29 perches, more or less, being partly land situated below high-water mark in the harbour of Auckland and partly land reclaimed from the sea and being the area inside a line drawn from the extreme northern point where a straight line 100 feet south-west and parallel to the centre line of the Auckland Regional Authority main sewer meets mean high-water mark approximately 1 chain south-west of the eastern end of Logan Terrace; thence following mean high-water mark south-westwards to the extreme western boundary of the area shown on a plan marked and numbered M.D. 10105 and deposited in the office of the Marine Department, Wellington; thence following the northern and eastern boundaries of the area shown in the said plan marked and numbered M.D. 10105 and deposited in the office of the Marine Department, Wellington to the north side of Shore Road; thence following the northern boundary of Shore Road generally eastwards to meet mean high-water mark approximately 1 chain east of the intersection of Portland Road with Shore Road; thence following mean high water mark generally north-eastwards to meet the aforesaid straight line 100 feet from the centre line of the Auckland Regional Authority main sewer; thence following the line 100 feet from the centre line of the Auckland Regional Authority main sewer generally north-westwards to the commencing point of the said line and being part of the land contained in certificate of title, Volume 55, folio 236 (North Auckland Registry), and being the areas shown edged red on the plans marked and numbered M.D. 11770, M.D. 11866, and M.D. 12029 and deposited in the office of the Marine Department, Wellington.