

Mr Walsh

**TAURANGA HARBOUR BOARD LOAN AND
EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to confer certain powers on the Tauranga Harbour Board

5 **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 Tauranga Harbour Board Loan and Empowering Act 1959.

10 **2. Interpretation**—In this Act, unless the context otherwise requires, the term “Board” means the Tauranga Harbour Board.

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

4. Power to borrow—It shall be lawful for the Board from time to time to borrow, in addition to the sums authorised by any previous Acts, subject to the provisions of the Harbours Act 1950 and of this Act and of the Local Authorities Loans Act 1956, any sum or sums not exceeding in the aggregate the sum of one million six hundred and fifty thousand pounds to be applied for the purposes of carrying out, subject to the provisions of the Harbours Act 1950, the works specified in the Schedule to this Act: 5 10

Provided that subsection six of section thirty-one of the Finance Act (No. 3) 1944 shall apply.

5. Security for loan—In addition to the charge on the Harbour Fund created by the Harbours Act 1950, the Board may, subject to the provisions of section six of this Act, make and levy as further security for the money authorised to be borrowed under this Act a special rate not exceeding three-tenths of a penny in the pound on the capital value of all rateable property in the harbour district. 15 20

6. Estimate of revenue and expenditure—(1) The Board shall in each year cause an estimate to be prepared, in such manner and according to such principle and method as the Board approves of the anticipated revenue of the year (exclusive of any rate to be levied under this Act) and the anticipated expenditure of the year (including the annual payment or payments to be made, including interest, with respect to the money borrowed under the authority of this Act, but exclusive of capital expenditure on any loan account) and shall upon such estimate determine the deficiency of the revenue to meet the expenditure. 25 30

(2) Any credit or debit balance of the Board's General Account at the close of each year shall be carried forward to the account of the next succeeding year for the purpose of the estimate of that succeeding year and the determination of the deficiency of the revenue of that succeeding year to meet the expenditure thereof. 35

(3) The Board may in each year, in accordance with the Harbours Act 1950, levy or direct the levy of such part of the said special rate as is sufficient to provide for the deficiency: 40

Provided that if the deficiency exceeds the amount of the annual charges for that year in respect of the money borrowed under this Act, the Board may levy or direct the levy of such part only of the special rate as is sufficient to provide for those
5 annual charges.

(4) The Board may for the purposes of the levy, or of such direction and levy, adopt some convenient fraction of a penny, notwithstanding that the sum produced thereby may exceed the said deficiency.

10 **7. Authority to refund**—The Board is hereby authorised to refund to any person from the money borrowed under the authority of this Act the amount of any money expended whether before or after the passing of this Act, in the construction of the berthage specified in the Schedule to this Act, and
15 any amount so refunded shall be deemed to have been applied and expended for that purpose.

8. Prior rights to berthage and use and occupation of land—Notwithstanding anything in the Harbours Act 1950 or any other Act, the Board is hereby empowered to grant to the
20 Tasman Pulp and Paper Company Limited for a period of twenty years or such further period as may be agreed between the Board and the company, prior rights as to berthage at Mount Maunganui Wharf up to one thousand feet or such additional berthage as may be arranged between the Board
25 and the company and as to the use and occupation of land adjoining or adjacent to such berthage, including the use of such storage sheds as are now or may hereafter be erected on such land.

9. Regulating and controlling the allocation of berthage and storage—Notwithstanding anything in the Harbours Act
30 1950 and without prejudice to any of the powers contained in section eight of this Act, the Board is hereby authorised, when congestion occurs or is likely to occur in handling cargoes at the port, to regulate and control the allocation of berthage
35 and storage and to grant prior rights thereto until completion of the extensions of twelve hundred feet of berthage referred to in the Schedule hereto.

10. Power to act as wharfingers and stevedores, and to license wharfingers and stevedores—The Board may carry on
40 business as wharfingers, stevedores, and warehousemen, or any one or more of such businesses, and may make such reasonable charges for any services rendered by the Board in any such

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business as may be prescribed by bylaws made pursuant to Part VI of the Harbours Act 1950, or may, subject to bylaws made as aforesaid, licence any persons to act as wharfingers, stevedores, and warehousemen, or in any one or more of such businesses, and to make such reasonable charges as may from time to time be approved by the Board for any services rendered in any such business. 5

11. Amendment to Schedule of Tauranga Harbour Loan and Empowering Act 1956—The Schedule to the Tauranga Harbour Loan and Empowering Act 1956 is hereby amended: 10

(a) By omitting the figures “220,000” and substituting the figures “120,000”:

(b) By inserting, after the first item in the Schedule, the following words and figures: “Part construction of oil berth or dolphin 100,000”. 15

SCHEDULE

HARBOUR WORKS

	£
Construction of 1,200 ft of wharf including reclamation, dredging, hard-standing, rail tracks on wharf and realignment, plus part construction cost of tanker berth and dredging	1,310,000
Shed storage, balance of cost of Administration Office, reclamation Tauranga Pilot Bay Wharf, hard-standing, and additional sealing	247,500
Miscellaneous works, reclamation, loan expenses, and contingencies	92,500
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	£1,650,000