

Dr Finlay

WAITEMATA COUNTY COUNCIL EMPOWERING

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to enable the body corporate, the Chairman, Councillors, and Inhabitants of the County of Waitemata to reclaim from the sea an area of approximately 11 acres
5 **2 roods and 39 perches at Taikata Creek, Te Atatu**

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 Waitemata
10 County Council Empowering Act 1966.

2. **Interpretation**—In this Act, unless the context otherwise requires,—

15 “Corporation” means the Chairman, Councillors, and Inhabitants of the County of Waitemata as constituted under the Counties Act 1956.

“Council” means the Waitemata County Council.

No. 67—1

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

4. Authority to reclaim—(1) Subject to the provisions of the Harbours Act 1950 and the Health Act 1956 the Council may from time to time reclaim from the sea the area described in the First Schedule to this Act or any part or parts thereof. 5

(2) The Council may, in the name of and on behalf of the Corporation, enter into any contract with any person, firm, or company for the construction of such reclamation or any part or parts thereof and for the execution of all or any works which may be necessary or expedient in connection with any such reclamation and for the other purposes of this Act on such terms and conditions as the Council may think fit. 10

5. Reclaimed land to form part of Waitemata County—

(1) On and after the commencement of the reclamation referred to in section 4 of this Act, the land described in the First Schedule to this Act shall be deemed to be added to and shall for all purposes form part of the County of Waitemata and the boundaries of that county shall be deemed to be extended accordingly. 15 20

(2) The lands firstly and secondly described in the Second Schedule to this Act, reclamation of which was authorised respectively by Orders in Council appearing in the *Gazette* 1964, page 6, and 1965, page 1251, shall from the passing of this Act be deemed to be added to and shall for all purposes form part of the County of Waitemata and the boundaries of that county shall be deemed to be extended accordingly. 25

(3) The land thirdly described in the Second Schedule to this Act in respect of which the Council has applied for an Order in Council authorising reclamation thereof shall on and after the commencement of any reclamation authorised by such Order in Council when gazetted be deemed to be added to and shall for all purposes form part of the County of Waitemata and the boundaries of that county shall be deemed to be extended accordingly. 30 35

(4) For the purpose of subsections (1) and (3) of this section, the County Clerk to the Council shall forthwith after the commencement of the reclamation send to the Secretary for Internal Affairs a certificate specifying the date on which the reclamation was commenced and section 16 of the Counties Act 1956 shall apply. 40

6. **Vesting of reclaimed land**—It shall be lawful for the Governor-General in Council from time to time to vest in the Chairman, Councillors, and Inhabitants of the County of Waitemata for recreation purposes pursuant to the provisions of the Reserves and Domains Act 1953, such portions of the lands described in the First and Second Schedules to this Act as are from time to time reclaimed from the sea.

SCHEDULES

FIRST SCHEDULE

ALL those areas in the North Auckland Land District situated in Block XIV, Waitemata Survey District, viz:

1. Containing 1 acre 2 roods 21 perches, more or less, being land below mean high-water mark Taikata Creek, adjoining Lot 6, D.P. 40734, Lot 3, D.P. 38223 and shown edged green on the plan marked M.D. No. 12251 deposited in the office of the Marine Department, Wellington.

2. Containing 10 acres and 18 perches, more or less, being land below mean high-water mark Taikata Creek, adjoining Lot 14, D.P. 42725, Lot 43, D.P. 49173, Lot 9, D.P. 46232, Taipari Road and Lot 42, D.P. 52440 and also shown edged green in the plan marked M.D. No. 12251 deposited in the office of the Marine Department, Wellington.

SECOND SCHEDULE

ALL those areas in the North Auckland Land District situated in Block XIV, Waitemata Survey District, viz:

1. Containing 1 acre 1 rood 9 perches, more or less, being land formerly lying below mean high-water mark Taikata Creek, adjoining Lot 3, D.P. 38223, Lot 3, D.P. 38692, and Taikata Road and reclaimed by authority of Order in Council appearing in the *Gazette*, 1964, page 6.

2. Containing 1 acre, more or less, being land formerly lying below mean high-water mark Taikata Creek, adjoining Lot 14, D.P. 42725, and reclaimed by authority of Order in Council appearing in the *Gazette*, 1965, page 1251.

3. Containing 1 acre, more or less, being land below mean high-water mark Taikata Creek, adjoining Lot 14, D.P. 42725, and lying between the land secondly described in this Schedule, and the land secondly described in the First Schedule to this Act.