

Hon. Mr Riddiford

**WELLINGTON HARBOUR BOARD RECLAMATION
AND EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to authorise the Wellington Harbour Board to reclaim tidal lands constituting part of the bed of the Western Arm of the Hutt River, and to develop such reclaimed land for industrial, commercial, and other purposes and to clarify the powers of the Wellington Harbour Board to lease part of the Thorndon Wharf Development

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 Wellington Harbour Board Reclamation and Empowering Act 1971.

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

“Board” means the Wellington Harbour Board:
“The Act” means the Harbours Act 1950.

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shall be exempt from payment of any reserve fund contribution provided for in section 351c of the Municipal Corporations Act 1954:

- 5 (b) Construct or provide such public works and amenities as may be deemed necessary or desirable for the use, convenience, and enjoyment of such land including—
- (i) The vesting, creation, or provision of streets, service lanes, access ways, rights of way, and other means of communication or access;
- 10 (ii) Services for water supply, drainage, sewerage, electric lighting, power, gas, and all other amenities; and
- (iii) All works necessary to comply with any lawful requirements of any local or public authority.

- 15 7. **Special leasing powers**—The Board is hereby empowered, notwithstanding anything contained in the Public Bodies Leases Act 1969, to call for tenders from the public for a lease of the land described in the First and Second Schedules to this Act, or part thereof, upon such terms and conditions as the
- 20 Board may decide, including a term or condition that the lessee carry out the reclamation of the area, or part thereof, and other works associated with the reclamation.

8. **Clarification of powers of leasing part of Thorndon Wharf Development**—Whereas the Board, in respect of the
- 25 land described in the Third Schedule to this Act, is the registered proprietor of an estate in fee simple or pursuant to section 185 of the Harbours Act 1950 by special orders has been granted reclamation rights: And whereas section 187 of the Harbours Act 1950 vests in the Board land reclaimed
- 30 under the authority of such special orders: And whereas the said land constitutes part of the Thorndon Wharf Development: And whereas the Board desires to lease or has leased part of the land pursuant to the powers contained in section 144 of the Harbours Act 1950: And whereas the land
- 35 described in the said Third Schedule has been defined as a wharf pursuant to the powers contained in section 190 of the Harbours Act 1950: And whereas doubts have been expressed as to the powers of the Board to lease, pursuant to section 144 of the Harbours Act 1950, the said land: And whereas it is
- 40 desirable that the said doubts should be removed and that the Board should have power to so lease the whole or part of the said land: Be it therefore enacted as follows:

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Notwithstanding the provisions of the Harbours Act 1950 and the fact that the land described in the Third Schedule to this Act is defined as a wharf pursuant to the powers contained in section 190 of the Harbours Act 1950, the Board is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to lease, pursuant to the powers contained in section 144 of the Harbours Act 1950, the whole or such part of the said land as it may in its discretion think fit. 5

SCHEDULES

FIRST SCHEDULE

ALL that area in the Wellington Land District, situated in the Borough of Petone, containing 2 roods and 31 perches, more or less, being Lot 1 on Deposited Plan No. 32615, being also part Section 10, Hutt District, and being part of the land comprised in certificate of title B4/1174 (Wellington Registry).

SECOND SCHEDULE

First: All that area in the Wellington Land District situated in the Borough of Petone, containing 30 perches, more or less, being part Lot 1 on Deposited Plan No. 32615, being also part Section 10, Hutt District, and being part of the land comprised in certificate of title B4/1174 (Wellington Registry), as shown edged green on Plan 28022 lodged in the office of the Chief Surveyor at Wellington.

Secondly: All that area in the Wellington Land District situated in the Borough of Petone, containing 4 acres 1 rood 22 perches, more or less, being part Lot 2 on Deposited Plan No. 13037, being also part Section 10, Hutt District, and being part of the land comprised in certificate of title, Volume 542, folio 294 (Wellington Registry), as shown edged red on Plan 28022 lodged in the office of the Chief Surveyor at Wellington.

Thirdly: All that area in the Wellington Land District situated in the Borough of Petone, containing 22.6 perches, more or less, being Section 831, Hutt District, and being all the land comprised in certificate of title 6B/894 (Wellington Registry), as shown edged yellow on Plan 28022 lodged in the office of the Chief Surveyor at Wellington.

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THIRD SCHEDULE

First: An estate in fee simple in all that parcel of land containing 28 acres 1 rood 16.1 perches, more or less, situated in Block VII, Port Nicholson Survey District, and being Section 24, of the said Block, and being all the land comprised and described in certificate of title No. 991/10 (Wellington Registry), as shown edged green on Plan 28258 lodged in the office of the Chief Surveyor at Wellington.

Secondly: An estate in fee simple in all that parcel of land containing 21 acres and 12.11 perches, more or less, situated in the City of Wellington, being part Lot 1, D.P. 7469 and part Lot 1, D.P. 10618, and being part of the land comprised and described in certificate of title No. B3/681 (Wellington Registry), as shown edged red on Plan 28258 lodged in the office of the Chief Surveyor at Wellington.

Thirdly: An area of approximately 6.05 acres shown coloured red on plan M.D. 13109 deposited in the office of the Marine Department at Wellington, which the Board was authorised to reclaim pursuant to section 185 of the Harbours Act 1950 by Order in Council dated the 11th day of November 1968 and published in *Gazette*, 1968, Vol. III, at page 2110, as shown edged yellow on Plan 28258 lodged in the office of the Chief Surveyor at Wellington.

Fourthly: An area of approximately 6.24 acres shown coloured red on plan M.D. 13542 deposited in the office of the Marine Department at Wellington, which the Board was authorised to reclaim pursuant to section 185 of the Harbours Act 1950 by Order in Council dated the 20th day of October 1969, and published in *Gazette*, 1969, Vol. III, at page 2364, as shown edged blue on Plan 28258 lodged in the office of the Chief Surveyor at Wellington.

Fifthly: An area of approximately 10.42 acres shown coloured red on plan M.D. 13820, deposited in the office of the Marine Department at Wellington, which the Board was authorised to reclaim pursuant to section 185 of the Harbours Act 1950 by an Order in Council dated the 18th day of May 1970, and published in *Gazette*, 1970, Vol. II, at page 983, as shown edged orange on Plan 28258 lodged in the office of the Chief Surveyor at Wellington.