

Reprint
as at 1 November 2010

**Auckland Harbour Board (Tamaki
Port Industrial Estate) Vesting and
Empowering Act 1967**

Local Act 1967 No 17
Date of assent 24 November 1967
Commencement 24 November 1967

Auckland Harbour Board (Tamaki Port Industrial Estate) Vesting and Empowering Act 1967: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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An Act to vest in the Auckland Harbour Board certain tidal land in the Tamaki River in the Waitemata Harbour; to authorise the Board to reclaim such land and to develop the reclaimed land for the purposes of a Port Industrial Estate and the provision of berthage and port facilities

Preamble

Whereas the Auckland Harbour Board Loan and Empowering Act 1963 (as amended by section 7(1) of the Decimal Currency Act 1964 and section 8(2) of the Auckland Harbour Board Loan and Empowering Act 1967) authorised *inter alia* the Board to borrow and apply the sum of one million two hundred thousand dollars for the development of a port industrial estate on the foreshore of, and on land adjacent to, the Tamaki River, including land acquisition and the provision of berthage and port facilities: And whereas the Board desires that an area of three acres three roods fourteen perches of tidal land in the Tamaki River be vested in it as an estate in fee simple: And whereas the Board desires to reclaim and develop such land for the purpose of the said port industrial estate: And whereas it is desirable to make provision accordingly.

1 Short Title

This Act may be cited as the Auckland Harbour Board (Tamaki Port Industrial Estate) Vesting and Empowering Act 1967.

2 Interpretation

In this Act, unless the context otherwise requires,—

Board means the Auckland Harbour Board

Council means the Mount Wellington Borough Council.

3 Special Act

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

4 Vesting

The land described in the Schedule is hereby vested in the Board as an estate in fee simple for harbour works subject to the Harbours Act 1950.

5 Authority to reclaim

- (1) Subject to the provisions of the Harbours Act 1950, and of this Act, but notwithstanding anything contained in subsection (3) of section 175 of the Harbours Act 1950, the Board may reclaim from the sea the land described in the Schedule or any part or parts thereof.
- (2) The Board may grant any licence or licences in respect of the said land or any part or parts thereof to any person or persons or enter into any contract or contracts with any person or persons 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 on such terms and conditions as the Board may think fit.

6 Authority to develop

- (1) The Board may develop and redevelop the whole or any part or parts of the land described in the Schedule which is from time to time reclaimed from the sea for the purposes of a port industrial estate and the provision of berthage and port facilities and—
 - (a) to subdivide and resubdivide the whole or any part or parts of such reclaimed land into suitable allotments for such purposes:

- (b) to construct or provide such public works and amenities as may be deemed necessary or desirable for the use, convenience, and enjoyment of such reclaimed land for such purpose, including—
 - (i) streets, service lanes, access-ways, and other means of communication or access;
 - (ii) services for water supply, drainage, sewerage, electric lighting, power, gas, and all other amenities;
 - (iii) all works necessary to comply with any lawful requirement of any local or public authority.
- (2) The Board may either carry out and construct all or any of the said works with its own plant and equipment or may enter into any contract or contracts with any person or persons or local or public authority in respect of all or any such works.
- (3) The reclamation and development of the said land under the authority of this Act shall be deemed to be part of the work described as the “development of a port industrial estate on the foreshore of, and on land adjacent to, the Tamaki River, including land acquisition and the provision of berthage and port facilities” in Schedule 1 to the Auckland Harbour Board Loan and Empowering Act 1963 (as amended by section 7(1) of the Decimal Currency Act 1964 and section 8(2) of the Auckland Harbour Board Loan and Empowering Act 1967).

7 Application of the provisions of the Public Bodies Leases Act 1908

Sections 8, 9, and 10 of the Public Bodies Leases Act 1908 shall not apply to the leasing by the Board, or any leases granted by the Board, of the whole or any part or parts of any land reclaimed under the authority of this Act.

8 Application of the provisions of the Town and Country Planning Act 1953

Nothing in this Act shall be construed as limiting the application of the provisions of the Town and Country Planning Act 1953 or of Part 25 of the Municipal Corporations Act 1954.

9 Reclaimed land to form part of Mount Wellington Borough

- (1) Upon the completion of the reclamation of any land under the authority of this Act, such reclaimed land shall without further or other authority than this section be included within the district of the Mount Wellington Borough and any such alteration of the boundary or boundaries of the Borough shall be deemed to have been effected pursuant to the Municipal Corporations Act 1954.
- (2) Without in any way limiting the effect of subsection (1) such altered boundary or boundaries shall from time to time on written application on behalf of the Council and without further authority or procedure be formally recorded by notice in the *Gazette* under the hand of the Secretary for Internal Affairs.

10 Powers of the District Land Registrar

The District Land Registrar for the North Auckland Land Registration District is hereby authorised and directed, on the deposit with him of such plans and documents as he may require, to issue in the name of the Board a certificate or certificates of title of the land vested in the Board pursuant to section 4 and to make such entries in the register books and do all such other things as may be necessary to give effect to the provisions of this Act.

Schedule
Land to be vested and reclaimed

All that area of land containing by admeasurement 3 acres 3 roods 14 perches being land below mean high-water mark and being part of the bed of the Tamaki River bounded by a line commencing on mean high-water mark located at a point on a bearing of $78^{\circ} 00' 30''$ from the southernmost corner of Lot 2, Deposited Plan 44553; thence along a right line to a point bearing $78^{\circ} 00' 30''$ and distant 468.0 links more or less from the said southernmost corner; thence proceeding on a bearing of $329^{\circ} 55' 50''$ to a point where it intersects the line of the northern boundary of Land Transfer Plan 57993 produced; thence proceeding on a bearing of $258^{\circ} 12' 40''$ to a point on mean high-water mark; thence proceeding in a southerly direction on mean high-water mark to the point of commencement; and being part of the land below mean high-water mark in the Tamaki River as shown edged red on a plan marked and numbered MD 12446 and deposited in the office of the Marine Department, Wellington.

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Notes

1 *General*

This is an eprint of the Auckland Harbour Board (Tamaki Port Industrial Estate) Vesting and Empowering Act 1967. The eprint incorporates all the amendments to the Act as at 1 November 2010. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about eprints and officialisation, please see <http://www.pco.parliament.govt.nz/eprints/>.

3 *List of amendments incorporated in this eprint (most recent first)*

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37): section 113(1)
