



ANALYSIS

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1952, No. 14—Local

Title.

AN ACT to authorize the Bluff Harbour Board to construct certain harbour works and to borrow moneys for the purpose of the construction of such harbour works. [3 October 1952]

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

Short Title.

1. This Act may be cited as the Bluff Harbour Improvement Act 1952.

Interpretation.

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

“ Board ” means the Bluff Harbour Board:

“ Harbour district ” means the Bluff Harbour District as constituted by the Bluff Harbour Board Empowering Act 1949:

“ Harbour works ”, in addition to the works included in those words by the Harbours Act 1950, includes a marine airport.

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

4. (1) Subject to the provisions of this section and to the provisions of the Harbours Act 1950, the Board is hereby authorized to construct and carry out the harbour works specified in the first column of the First Schedule to this Act. Harbour works authorized.

(2) Subject to the provisions of this Act, the Board is hereby authorized to expend, in the first instance, in the construction and carrying out of any harbour works specified in the first column of the said First Schedule, or any part or parts of any such works, any sum or sums not exceeding the sum specified in the second column of that Schedule in respect of those harbour works:

Provided that where any sum so specified in the second column in respect of any harbour works exceeds the amount required for those harbour works, or such part or parts thereof as are constructed or carried out by the Board under this subsection, and a surplus remains out of that sum after the construction or carrying out of such works or part or parts thereof as aforesaid, the surplus may be applied in the construction or carrying out of any other harbour works so specified in the first column, except the construction of the marine airport, if the sum so specified in the second column in respect of those other works is insufficient therefor.

(3) If, after the expenditure of the total sum of three million five hundred and thirty-six thousand pounds specified at the foot of the second column of the said First Schedule, the Board is satisfied that it is necessary to proceed further with the construction or carrying out of any of the harbour works specified in the first column of the said First Schedule, the Board may expend therein any sum or sums not exceeding the sum specified in the third column of that Schedule in respect of those harbour works:

Provided that where any sum so specified in the third column in respect of any harbour works exceeds the amount required for those harbour works, and a surplus remains out of that sum after the completion of those works, the surplus may be applied in the completion of

any other harbour works so specified in the first column if the sum so specified in the third column in respect of those other works is insufficient for their completion.

Power to borrow.

5. (1) The Board may from time to time, as it may require, borrow, subject to the provisions of the Harbours Act 1950 and the Local Government Loans Board Act 1926, a sum or sums not exceeding in the whole the sum of three million five hundred and thirty-six thousand pounds, in addition to any moneys heretofore authorized to be borrowed by the Board under or by virtue of any other Act. The moneys so borrowed shall be applied and expended, in accordance with subsection two of section four of this Act, in the construction or carrying out of the harbour works or any part or parts of the harbour works specified in the first column of the First Schedule to this Act, except the construction of the marine airport.

(2) If pursuant to subsection three of section four of this Act the Board resolves to proceed further with the construction or carrying out of any of the said harbour works, or to proceed with the construction of the marine airport, the Board may from time to time, as it may require, borrow, subject to the provisions of the Harbours Act 1950 and the Local Government Loans Board Act 1926, a sum or sums not exceeding in the whole the sum of one million four hundred and fourteen thousand pounds, in addition to any moneys authorized to be borrowed by the Board under subsection one of this section. The moneys so borrowed shall be applied and expended, in accordance with subsection three of the said section four, in the completion of the harbour works specified in the first column of the First Schedule to this Act.

Local Bodies' Loans Act 1926 to apply with a modification.

6. The Board may by resolution decide from time to time to raise such moneys in accordance with the provisions of Part I of the Local Bodies' Loans Act 1926, and the provisions of that Act shall apply as if the harbour district were a district, the Board were a local authority, and the harbour works were public works within the meaning of that Act:

Provided that, for the purposes of any poll of rate-payers which may be required to be taken under that Act, a majority of the total valid votes recorded shall suffice to carry the proposal.

7. (1) For the purposes of any poll of ratepayers required to be taken prior to the raising of the loan, the rolls of ratepayers of the boroughs, town districts (not being parts of any county), counties, and any part of a county, comprised in the harbour district shall be deemed to be the roll of ratepayers of the harbour district.

Ratepayers
roll.

(2) It shall be the duty of the Clerk of the local authority of each such district comprised wholly or in part within the harbour district, whenever requested so to do by the Board, to supply to the Board a certified roll of the ratepayers of such district, or of the part thereof within the harbour district, together with as many copies as the Board may require.

(3) The cost of preparing any roll of ratepayers for the purposes of this section and of supplying copies thereof shall be paid by the Board.

8. (1) In addition to the charge on the Harbour Fund created by the Harbours Act 1950, the Board may, if the loan is being or has been raised in accordance with the provisions of the Local Bodies' Loans Act 1926, but not otherwise, make and levy, for further securing repayment of moneys borrowed from time to time under the authority of this Act and interest thereon, a special rate or series of two or more special rates on all rateable property in the harbour district, but so that the total of such rates shall not exceed three farthings in the pound on the capital value of all such rateable property, or its equivalent on the unimproved value or annual value, according to the system of rating adopted by the Board and in force in the harbour district.

Board may
make special
rate.

(2) If the loan is being or has been raised in accordance with the provisions of the Local Bodies' Loans Act 1926, 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 moneys 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 such revenue to meet such expenditure.

Estimate of
revenue and
expenditure.

(3) 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 such succeeding year and the determination of the deficiency of the revenue of such succeeding year to meet the expenditure thereof.

(4) The Board may levy or direct the levy, in accordance with the Harbours Act 1950, in each year of such part of the special rate, or, if more than one special rate has been made, such proportionate parts of the special rates, as may be sufficient to provide for such deficiency.

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

9. The Bluff Harbour Board Empowering Act 1949 is hereby amended by repealing sections six to nine.

Bluff Harbour Board Empowering Act 1949 amended.

10. The Bluff Harbour Reclamation and Leasing and Empowering Act 1929 is hereby amended as follows:—

(a) By repealing section three and the First Schedule:

(b) By omitting from section four the words "First and Second Schedules", and substituting the words "Second Schedule".

Bluff Harbour Reclamation and Leasing and Empowering Act 1929 amended.

11. The Governor-General in Council, in the name and on behalf of the Crown, may from time to time grant to the Board as and when they are reclaimed, such of the lands authorized by this Act to be reclaimed as are not already vested in the Board, except any of the lands described in the Second Schedule to this Act.

Land may be granted to the Board as reclaimed.

SCHEDULES

Schedules.

FIRST SCHEDULE

Section 4

<i>First Column.</i> Harbour Works.	<i>Second Column.</i> Maximum Expenditure in First Instance.	<i>Third Column.</i> Maximum Further Expenditure.
The reclamation of an area not exceeding 143 acres of land from the waters of Bluff Harbour within the area more particularly shown and edged in red on a plan marked M.D. 9360, deposited in the office of the Marine Department, Wellington, by the use of spoil dredged from the berthage and swinging basin, and all works necessary or incidental to such reclamation, and the purchase or hire of all construction and dredging plant and other plant and machinery for such reclamation or other harbour works authorized by this Act; at a cost of ..	£ 489,331	£ 28,707
The construction of wharves on the reclaimed land; bridges and other approaches to the reclaimed land and works thereon; railways and streets on or for the foregoing; electrical services and equipment and water services for the said wharves and for other purposes; sheds and other works for the handling and for the storage of cargo of all descriptions (including oysters); the provision of plant and appliances of all kinds required for and in connection with the use of the wharves by ships and the handling of cargoes; the construction of buildings required for offices, the storage of plant and equipment, and for workshops in relation to the wharves; at a cost of	2,492,190	1,244,126
The reclamation from the waters of Bluff Harbour of 52 acres, more or less, being the lands shown on the said plan marked M.D. 9360 and thereon coloured purple, yellow, and pink, together with all works necessary or incidental to such reclamation, and together with the construction of a slipway thereon; at a cost of	335,580	..
The construction of a marine airport, the spoil to be dredged from the proposed runways and to be used in reclamation; at a cost of	69,200
Administration, preliminary expenses, workers' housing in respect of the carrying out of the above works; at a cost of	218,899	71,967
	3,536,000	1,414,000

As the said harbour works, other than reclamation and the marine airport, are more particularly shown on a plan marked M.D. 9358, deposited in the office of the Marine Department, Wellington.

Section 11

SECOND SCHEDULE

ALL that area of railway land containing 9 acres 3 roods, more or less, described as follows: Part of the land taken for railway purposes by Proclamation dated 29 September 1897, as shown in *New Zealand Gazette* of 1897, page 1746; also part of the land taken for railway purposes by notice in *New Zealand Gazette* dated 16 February 1892 (page 349), being part of Section 38, Block I, Campbelltown Hundred, and being part of the land included in certificate of title, Volume 47, folio 179, Southland Land Registry; also part of the land taken for railway purposes by notification in *New Zealand Gazette* dated 13 February 1893 (page 251), being part of Section 1, Block XXIII, Town of Campbelltown, and being part of the land included in certificate of title, Volume 49, folio 203, Southland Land Registry. The above-described pieces of land being more particularly delineated on plan numbered M.D. 9360 deposited in the office of the Marine Department at Wellington, and thereon coloured purple.
