

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]
House of Representatives, 30 September 1954

Words added by the Committee are shown in roman
with rule down side.

Hon. Mr Goosman

AUCKLAND HARBOUR BRIDGE AMENDMENT

ANALYSIS

Title. 1. Short Title. 2. As to preparation of plans, specifications, and conditions of contract for bridge.	3. Provision for alterations in plans to be submitted to Minister of Works and Minis- ter of Marine and for approval of alterations. 4. Provision for agreements between Authority and local authorities in connection with existing streets. 5. Additional matters to be deter- mined by Commission.
--	---

A BILL INTITULED

AN ACT to amend the Auckland Harbour Bridge Act 1950. Title.

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

1. This Act may be cited as the Auckland Harbour Bridge Amendment Act 1954, and shall be read together with and deemed part of the Auckland Harbour Bridge Act 1950 (hereinafter referred to as the principal Act). Short Title.
1950, No. 101

2. (1) Section twenty-five of the principal Act is hereby amended by repealing section twenty-five, and substituting the following section: As to
preparation
of plans,
specifications,
and conditions
of contract
for bridge.

“ 25. (1) The Authority shall, as soon as practicable, cause to be prepared plans and specifications of the bridge, and conditions of contract in respect of the construction of the bridge.

“(2) Any such plans, specifications, and conditions of contract may relate to the complete bridge or may be prepared in divisions in accordance with this section.

“(3) Subject to the provisions of this section, where the plans, specifications, and conditions of contract are prepared in divisions, the following provisions shall apply:

“(a) The first division shall relate to that part of the bridge which is intended to span the waters of the Waitemata Harbour:

“(b) The second division shall relate to such necessary embankments and approaches as will provide a continuous roadway or street from that part of the bridge referred to in paragraph (a) of this subsection to Stokes Point and shall also relate to one or more roadways connecting the aforesaid approaches with the existing system of streets or roadways on the northern side of the Waitemata Harbour:

“(c) The third division shall relate to such necessary embankments and approaches as will provide a continuous roadway or street from that part of the bridge referred to in paragraph (a) of this subsection to Point Erin and shall also relate to one or more roadways connecting the aforesaid approaches with the existing system of streets or roadways on the southern side of the Waitemata Harbour:

“(d) The fourth division shall relate to all other works in connection with the bridge in respect of which the Authority is required to prepare plans, specifications, and conditions of contract.

“(4) The division of the plans, specifications, and conditions of contract prepared under paragraph (a) of subsection *three* of this section shall be prepared first and shall include—

“(a) Complete plans, specifications, and conditions of contract in respect of that part of the bridge referred to in the said paragraph (a);

“(b) Such drawings as are necessary to show the general arrangement of those parts of the bridge referred to in paragraphs (a), (b), and (c) of the said subsection *three* and to show the basis of design of the embankments, approaches, and connecting roadways referred to in paragraphs (b) and (c) of the said subsection; and

“(c) Such additional drawings and information as may be required by the Minister to ensure that provision is made for the proper integration of all parts of the bridge.

“(5) The plans, specifications, and conditions of contract relating to the embankments, approaches, and connecting roadways referred to in paragraph (b) or paragraph (c) of subsection *three* of this section may, if the Authority thinks fit, be prepared in the order indicated in that subsection, or in the reverse order, or together.

“(6) The plans, specifications, and conditions of contract relating to those parts of the bridge referred to in paragraph (d) of subsection *three* of this section may be prepared at such times and may relate to such different works as the Authority thinks fit:

“ Provided that, without the consent of the Minister, no work in connection with the construction of any of the parts of the bridge referred to in the said paragraph (d) shall be commenced before the completion of the embankments, approaches, and connecting roadways referred to in paragraphs (b) and (c) of the said subsection *three*.

“(7) Any conditions of contract prepared under subsection *three* of this section may relate to any works of a similar nature referred to in more than one of the divisions provided for by that subsection.”

(2) Section twenty-six of the principal Act is hereby amended as follows:

(a) By omitting from subsection one the words “ all such ”, and substituting the word “ the ”:

(b) By omitting from subsection three the words “ All such ”, and substituting the word “ The ”.

(3) Section thirty-two of the principal Act is hereby amended as follows:

- (a) By inserting in subsection one, after the words “conditions of contract”, the words “relating to that part of the bridge in respect of which construction is about to commence”:
- (b) By omitting from subsection two the words “the plans”, and substituting the words “any plans”.

Provision for alterations in plans to be submitted to Minister of Works and Minister of Marine and for approval of alterations.

3. (1) Section thirty-one of the principal Act is hereby amended by inserting, after the words “they were approved”, the words “and to the Minister of Works and the Minister of Marine”.

(2) Section thirty-one of the principal Act is hereby further amended by adding the following as subsection two thereof:

“(2) Where the Authority makes any alteration or variation to any plans, specifications, or conditions of contract during the course of the construction of any part of the bridge to which the alteration or variation relates, no further work in connection with the construction of that part shall, without the consent of the Minister, take place until the alteration or variation has been finally approved in accordance with this section.”

New

Provision for agreements between Authority and local authorities in connection with existing streets.

4. The principal Act is hereby amended by inserting, after section thirty-two, the following section:

“32A. (1) The Authority may, from time to time, enter into agreements with the Auckland City Council or the Northcote Borough Council in respect of the reconstruction or improvement of any of the streets referred to in subsection *six* of this section for the purpose of providing for the handling of traffic to and from the bridge and in respect of the contribution by the Authority of money for the carrying out by either of the said local authorities of any works to which any such agreement relates.

“(2) Any agreement entered into under this section may provide for the erection or construction of such facilities for the handling of traffic on any of the said streets as may be required by the parties concerned.

“(3) If any dispute arises between the Authority and the Auckland City Council or the Northcote Borough Council as to the terms of any agreement proposed to be entered into under this section, the dispute shall be referred to arbitration in accordance with section eighty-one of this Act.

“(4) No agreement under this section and no award under any arbitration to which subsection *three* of this section relates shall have any force or effect unless and until the agreement or award has been approved by the Minister.

“(5) Notwithstanding the provisions of this Act, no works carried out pursuant to any agreement under this section shall be deemed to be part of the bridge, and the provisions of section forty of this Act, relating to the guarantee by the Government of New Zealand of the repayment of money borrowed by the Authority, shall not apply to any money borrowed by the Authority for the purposes of this section.

“(6) The streets to which this section relates are Curran Street, Shelly Beach Road, Sarsfield Street, Fanshawe Street, and Beaumont Street, on the southern side of the Waitemata Harbour, and Queen Street on the northern side of the Waitemata Harbour.”

5. Section sixty-eight of the principal Act is hereby amended by inserting, after subsection four, the following subsections:

Additional matters to be determined by Commission.

“(4A) The Commission, for the purpose of determining any of the matters referred to in subsection one of this section, may from time to time, on application made to it in that behalf by the Authority or the company, determine—

“(a) Whether or not any expenditure incurred or proposed to be incurred by the company is capital expenditure to which paragraph (b) of subsection one of this section relates:

“(b) Whether or not the Authority has, without sufficient cause, refused to give its approval, in accordance with paragraph (b) of subsection one of this section, to any expenditure incurred or proposed to be incurred by the company.

“(4B) If the Commission determines that any expenditure or proposed expenditure by the company is capital expenditure which, in the circumstances, is justified and should properly be taken into account for the purpose of ascertaining the amount of compensation payable to the company under this Part of this Act, and that approval to any such expenditure has, without sufficient cause, been refused by the Authority, the Commission shall notify the Authority and the company to that effect and any such notification shall, for the purposes of paragraph (b) of subsection one of this section, be deemed to be an approval by the Authority of the expenditure.

“(4C) Where the company has applied to the Authority for its approval under paragraph (b) of subsection one of this section of any expenditure by the company and the Authority has not granted the application within twenty-eight days, or such further period as may be agreed upon between the Authority and the company, after the date when the Authority was notified of the application, the Authority, for the purposes of this section, shall be deemed to have refused the application.”