

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]

AUCKLAND HARBOUR IMPROVEMENT.

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A BILL INTITULED

AN ACT to enable the Auckland Harbour Board to lay out and construct Roads over certain Land to be reclaimed from the Sea in the Harbour of Auckland, and to alienate Portions of such Land. Title.

5 WHEREAS all that piece or parcel of land situate in Freeman's Bay, being part of the foreshore of the Harbour of Auckland, bounded towards the north by the Waitemata Harbour; towards the east by part of the Board's endowment already reclaimed from the sea; Preamble.
10 towards the south by Patterson Street and College Road; and towards the west by lots numbers fifteen and sixteen of section eight of the Suburbs of Auckland, is now vested in the Auckland Harbour Board as an endowment, and the said Board is desirous of reclaiming the same from the sea: And whereas there are owners of lands adjoining
15 the said land to be reclaimed who have certain riparian rights in respect of the lands belonging to them: And whereas the water-frontage will be cut off from such lands by the said reclamation: And whereas an agreement has been made between the Board and the owners for the extinguishment of such rights of water-frontage in
20 consideration (*inter alia*) of the Board alienating to the owners certain portions of the land so being reclaimed abutting upon the lands respectively owned by them, and giving frontage to a roadway in lieu of such rights of water-frontage: And whereas it is expedient that the Board should be authorised and empowered to
25 make such alienation, and to lay out and construct such roads over the said land, and to exchange certain portions of the said land for land required for roadway and reclamation purposes:

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

Short Title.

1. The Short Title of this Act is "The Auckland Harbour Improvement Act, 1888."

Interpretation.

2. In the construction of this Act the following words shall have the meaning hereby assigned to them :—

"Original section" means a section or allotment which originally fronted upon the sea-shore, and includes any subdivision thereof: 5

"Owner" means the person, company, or corporation in whom or in which the fee-simple of any original section is vested, whether such person is the beneficial owner or a trustee: 10

"Board" shall mean the Auckland Harbour Board:

"Bishop" shall mean and include the Roman Catholic Bishop of Auckland, or other the person for the time being acting as such, or for or on his behalf. 15

Board may construct roads.

3. It shall be lawful for the Board, and it is hereby authorised and empowered, to lay out and construct such roads over the said land as may be determined by the Board, and in particular to lay out and construct a road over the said piece of land (the said road being a hundred feet in width), commencing in College Road, and terminating at the end of the reclamation, as the commencement and termination of the said road are delineated in brown colour on the plan deposited in the Public Works Office at Wellington, as number : Provided always that nothing herein contained shall annul or abridge the powers conferred upon local governing bodies by section one hundred and fifty of "The Harbours Act, 1878." 25

Board may convey certain land.

4. It shall be lawful for the Board to convey to the owner of each original section of land the portions of land lying between the said proposed last-mentioned road and the said original section, upon such terms and conditions as may be or have been agreed upon between the Board and the said owners, as the said portions of land are delineated in blue colour on the said plan. 30

Bishop empowered to convey certain land to Board.

5. It shall be lawful for the Bishop, and he is hereby authorised and empowered, to convey to the Board the piece or parcel of land being portion of the said lot fifteen of section eight, containing two roods and twenty-seven perches, as the same is described on the First Schedule hereto, and delineated in green colour on the said plan. 35

Board empowered to convey certain land to Bishop.

6. Upon obtaining a conveyance from the Bishop of a portion of the said lot fifteen of the said section eight, containing two roods and twenty-seven perches, it shall be lawful for the Board, and it is hereby authorised and empowered, to convey to the Bishop two pieces or parcels of the said land so to be reclaimed as aforesaid, and containing respectively one rood thirteen perches and one rood fourteen perches, as the same are described in the Second Schedule hereto, and marked respectively A and B, and bordered pink upon the said plan; and the Bishop shall hold the said land upon the same or like trusts as said lot fifteen of section eight of the suburbs of Auckland is now held. 40 45

On surrender of riparian rights by Bishop, Board empowered to

7. Upon obtaining a surrender of riparian rights from the Bishop in respect of that portion of the said lot fifteen of section eight abutting upon the portion of the said land next hereinafter described, 50

it shall be lawful for the Board, and it is hereby authorised and empowered, to convey to the Bishop all that piece or portion of the said land containing two roods and two perches, as the same is described in the Third Schedule hereto, and marked C, and bordered

convey certain land to him.

5 pink on the said plan.

8. It shall be lawful for the Board, at any time after the passing of this Act, to construct drains upon, under, or through any of the land so to be reclaimed as aforesaid, or which may be conveyed to the Board under the powers herein conferred, without making any compensation to the future owners or occupiers of any portion or portions of such land, except for damage actually sustained: Provided always that the power hereby conferred shall not be taken or construed to annul or abridge any of the powers conferred upon the City of Auckland by "The Municipal Corporations Act, 1886."

Board may construct drains through reclaimed land.

10 9. Any agreement heretofore made between the Board and the owners for the conveyance and exchange of lands and the surrender of riparian rights as authorised by this Act shall be as valid and effectual in all respects as if the same had been made after the passing of this Act.

This Act retrospective as regards agreements.

20 10. The Bishop, or any person having any right or title to the said pieces of land marked A and C on the said plan, shall not have any claim to compensation for deprivation or loss of water-frontage in respect of the said pieces of land marked A and C on the said plan, should the land to the north thereof at any time be reclaimed from

No compensation for loss of water-frontage.

25 11. With a view to the providing funds for the completion of the Calliope Dock, and furnishing the same with plant, machinery, and appliances, it shall be lawful for the Board, and it is hereby authorised and empowered, to divert the sum of sixteen thousand pounds from the amount of twenty-six thousand pounds authorised by "The Auckland Harbour Board Loan Act, 1886," to be expended on railway-wharf sheds and incidental thereto, and to divert ten thousand pounds from the amount of sixty thousand pounds authorised in the said Act to be expended on Hobson Street Wharf and sheds and incidental thereto, and to apply the said sums of sixteen thousand pounds and ten thousand pounds so diverted, namely, twenty-six thousand pounds, in completing the Calliope Dock, and in providing plant, machinery, and appliances therefor, or connected therewith, or incidental thereto.

Providing of funds for completion of Calliope Dock.

SCHEDULES.

Schedules.

FIRST SCHEDULE A.

ALL that piece or parcel of land containing 2 roods 27 perches, being a portion of Lot 15 of Section 8, Suburbs of Auckland, and bounded as follows: Commencing ~~on~~ high-water mark, at a point on the west side of the proposed road, at the south-western boundary of the said lot 1318·9 links from the northern side of College Road, bounded towards the north-west by the line bearing N. 26° 59', E., 355·4 links, to high-water mark; thence towards the north-east and south-east by a line of high-water mark running first easterly, then southerly, and lastly westerly, and towards the south-west by the south-western boundary-line of the said Lot 15 to the point of starting at high-water mark: coloured green on plan: be the said measurements a little more or less.

SECOND SCHEDULE B.

ALL those pieces or parcels of land containing separately 1 rood 13 perches and 1 rood 14 perches, marked A and B on plan, and surrounded by a pink border, the portion marked A being bounded as follows: Starting from the junction of the two streets, at the south-west angle of the said lot, by a line bearing $26^{\circ} 59'$, 190.8 links; thence on the east side of the proposed road, at the top of the outer edge of the rubble embankment; bounded towards the north-east by a line fronting the sea bearing $N. 104^{\circ} 51' E.$, 160 links; thence towards the east by a line bearing $N. 194^{\circ} 51' E.$, 186.5 links; thence towards the south by a line bearing $N. 284^{\circ} 51' E.$, 200.1 links, to and towards the west by a line bearing $N. 26^{\circ} 59' E.$, 190.8 links to the point of starting.

The portion marked B being bounded as follows: Commencing at the junction of the two streets at the north-west angle of the said lot by a line a point bearing $S. 26^{\circ} 59' W.$, 153.3 links from the south-western corner of the parcel marked A; bounded towards the north-east by a street line bearing $N. 104^{\circ} 51' E.$, 182 links; thence towards the east by a line bearing $N. 194^{\circ} 51' E.$, 192.5 links; thence towards the south by a line bearing $N. 296^{\circ} 59' E.$, 218.4 links; and thence towards the west by a line bearing $N. 26^{\circ} 59' E.$, 150 links; be the said measurements a little more or less.

THIRD SCHEDULE C.

ALL that piece or parcel of land containing 2 roods 2 perches, more or less, and bounded as follows: Commencing at a point being the north-west angle extremity of the proposed road; bounded towards the north-east by a line bearing $N. 306^{\circ} 49' E.$, 609.6 links, to high-water mark; thence along towards the south-west by high-water mark till it reaches a point 116.2 links from the starting point, on a line bearing $26^{\circ} 59'$; to the western side of the said proposed road; and thence towards the south-east by the said a line bearing $N. 26^{\circ} 59' E.$, 116.2 links, to the starting-point: be the said measurements a little more or less; shown by a pink border on the plan.