

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Thursday, the 30th Day of September 1954

AUCKLAND HARBOUR BRIDGE AMENDMENT BILL

Proposed Amendments

Hon. Mr GOOSMAN, in Committee, to move the following amendments:

To add the following clauses:

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.”

Additional matters to be determined by Commission.

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

“(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.”

EXPLANATORY NOTE

The purpose of the first proposed clause is to enable agreements to be entered into between the Authority and the Auckland City Council or the Northcote Borough Council as to the improvement of the existing roading system for the purpose of handling traffic to and from the bridge.

The purpose of the second proposed clause is to enable differences between the Devonport Steam Ferry Company Limited and the Auckland Harbour Bridge Authority, in respect of capital expenditure by the company for which the Authority will be liable to pay compensation, to be determined by a Commission set up under the principal Act.