

New Zealand.



ANALYSIS.

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1923, No. 7.—*Local and Personal.*

AN ACT to confer Additional Powers upon the Auckland Harbour Board and the Takapuna Borough Council. [29th August, 1923.] 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 Board and Takapuna Borough Council Empowering Act, 1923. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.
 “The Board” means the Auckland Harbour Board :
 “The Council” means the Takapuna Borough Council.

3. (1.) The Board is hereby authorized and empowered to convey, transfer, or otherwise vest in the Corporation of the Borough of Takapuna for a nominal consideration the land described in the First Schedule hereto, being part of the soil of the Auckland Harbour and part of land reclaimed from the sea by the Board, for an estate in fee-simple, subject, however, to such powers, encumbrances, restrictions, and interests as are prescribed by this Act. Land in First Schedule vested in Borough of Takapuna.

(2.) The District Land Registrar of the Land Registration District of Auckland is hereby authorized, on the presentation to him of an appropriate instrument of conveyance, to issue to the Council a certificate of title for such land.

4. The transfer and vesting of such land and the issue of a certificate of title therefor shall be subject to the conditions— Restrictions on vesting.

(a.) That no riparian rights, or rights of access by water, shall attach to the said land ; and

(b.) That if the Council or any body or person claiming through or under it shall use, deal with, or dispose of such land or any part thereof otherwise than as prescribed by this Act, and such user, dealing, or disposition shall be repeated within or continue for the period of six calendar months after objection by notice in writing from the Board

to the Council, then the Board may by resolution declare that the said land should be revested in the Board either absolutely or subject to such conditions, interests, and restrictions as may be expressed in such resolution; and the District Land Registrar of the Auckland Land Registration District is empowered and required, on application by the Board, to issue a certificate of title in the name of the Board, and to make such alterations in the Register as shall be necessary in the premises.

User of land in
First Schedule.

5. The Council or any body or person claiming through or under it shall use the land described in the First Schedule hereto as a site of and for the purposes of boating-sheds, public swimming-baths, social hall, or for any similar or incidental purpose, but so that the said parcel of land or any part thereof or any building thereon shall not be used for private gain.

Empowering Council
to convey, transfer,
grant, or lease land
in Second Schedule.

6. Subject to the conditions and restrictions prescribed by this Act, the Council may convey, transfer, and grant, either absolutely or subject to such additional conditions, interests, and restrictions as it may resolve, or may from time to time lease for any term of years at a peppercorn rental, the land described in the Second Schedule hereto to any incorporated club or society not constituted for the purpose of private gain.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ALL that area of land, containing 1 rood 7·3 perches, more or less, at Bayswater, near Auckland, comprising part of the soil of the Auckland Harbour and part of land reclaimed from the sea by the Auckland Harbour Board: commencing at a point distant 196 links in a straight line, bearing 225°, in a south-westerly direction, from a point where the continuation of the south-eastern boundary-line of Norwood Road, in the Borough of Takapuna, would reach the original mean high-water mark of the Auckland Harbour; thence extending in a straight line, bearing 308° 28', in a north-westerly direction, 162·70 links; thence in a straight line, bearing 218° 28', at right angles to such last-mentioned line, in a south-westerly direction, 181·81 links; thence in a straight line, bearing 128° 28', at right angles to such last-mentioned line, in a south-easterly direction, 162·70 links; thence in a straight line, bearing 38° 28', at right angles to such last-mentioned line, in a north-easterly direction, 181·81 links, to the point of commencement: as the said piece of land is delineated on a plan deposited in the office of the Marine Department, at Wellington, and marked M.D. 5678.

SECOND SCHEDULE.

ALL that area of land, containing 19·5 perches, more or less, situate at Bayswater, near Auckland, and being the south-eastern part of the land described in the First Schedule hereto: commencing at the north-eastern corner of the land comprised in such First Schedule; thence extending in a straight line, bearing 308° 28', in a north-westerly direction, 67·06 links; thence in a straight line, bearing 218° 28', at right angles to such last-mentioned line, in a south-westerly direction, 181·81 links; thence in a straight line, bearing 128° 28', at right angles to such last-mentioned line, in a south-easterly direction, 67·06 links; thence in a straight line, bearing 38° 28', at right angles to such last-mentioned line, in a north-easterly direction, 181·81 links, to the point of commencement: as the said piece of land is more particularly delineated, edged in green, on the said plan M.D. 5678.