

**Reprint**  
**as at 1 November 2010**

**Auckland City and Auckland  
Harbour Board Empowering Act  
1914**

Local Act 1914 No 7  
Date of assent 2 November 1914

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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**An Act to enable the Mayor, Councillors, and Citizens of the City of Auckland to acquire and deal with certain Lands in the City of Auckland for the Purpose of providing a New Traffic Outlet for the said City, to grant certain Leases, to consolidate certain Loans, to erect or retain certain Buildings on the Auckland Domain, and to take over certain Streets; and to enable the Auckland Harbour Board and the Trustees of the Kauri Point Park Reserve to exchange certain Land.**

**1 Short Title**

This Act may be cited as the Auckland City and Auckland Harbour Board Empowering Act 1914.

**2 Certain land acquired for street purposes**

It shall be and shall be deemed to have been lawful for the Council to acquire as for a public work any land or any interest in land in the vicinity of Beach Road or Jermyn Street, in the City of Auckland, that it may consider necessary or advisable for the purpose of providing a new traffic outlet for the said city or widening or improving the said streets or either of them, including particularly all lands mentioned and described in Schedule 1 hereto.

**3 Notices, etc, validated**

All notices given and steps taken by the Council for the purpose of or in connection with acquiring the said lands or any of them are hereby validated.

**4 Streets to be laid out prior to being declared public streets**

No part of the said lands shall be or be deemed to be a public street or highway unless and until the same shall be laid out by the Council as such public street or highway, and it shall not be necessary for the Council, after acquiring the same, to close any portion of such lands as a street is required to be closed before dealing with the same under the powers hereinafter contained; and any existing street or part thereof not required by reason of the carrying-out of the said scheme may be closed by the Council by resolution without further proceedings.

**5 Power to lease, sell, etc, certain lands**

As regards any part or parts of the said lands acquired by the Council hereunder and not laid out as a public street or highway, and any streets closed hereunder, the Council shall have the following powers:—

- (a) Power to lease or otherwise deal with such lands in the same manner and to the same extent as if such lands were general or ordinary endowment lands of the Council.
- (b) Power to sell the said lands as a whole or in portions either for cash or on terms:  
Provided that the net proceeds of any such sale or sales shall, after payment of the cost of the whole of the works hereby authorized (including compensation for land taken), be first applied in or towards payment of interest or principal owing on the loan mentioned in section six hereof.
- (c) Power to exchange any of the said lands for any other lands or interest in lands required by the Council for the purposes of any public work, including the works mentioned herein, with power to pay or receive any money as equality of exchange.
- (d) Power, without submitting the same to public auction or public tender, to sell or grant leases of or easements over any portion or portions of the said land at such price or rent and upon such terms and conditions as the Council shall think fit in full or partial payment or settlement of any claim for compensation that may be made by any

person in respect of the taking of any of the lands above mentioned or the exercise by the Council of any of its powers hereunder.

- (e) Power to do all things necessary or incidental to the full and efficient exercise of any of the aforesaid powers.

## **6 Power to raise special loan of \$100,000**

*[Repealed]*

Section 6: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

## **7 Powers hereby conferred in addition to powers under Local Government Act 1974 and Public Works Act 1981.**

The powers hereinbefore conferred are in addition to, and not in substitution for, any powers which the Council has under or by virtue of The Local Government Act 1974, or The Public Works Act 1981, or any other Act.

A reference to The Municipal Corporations Act 1920 was substituted, as from 1 April 1921, for a reference to The Municipal Corporations Act 1908 pursuant to section 385(1) Municipal Corporations Act 1920 (1920 No 48). The reference was in turn substituted, as from 20 December 1933, by a reference to The Municipal Corporations Act 1933 pursuant to section 393(1) Municipal Corporations Act 1933 (1933 No 30). That reference was in turn substituted, as from 1 April 1955, by a reference to The Municipal Corporations Act 1954 pursuant to section 413 Municipal Corporations Act 1954 (1954 No 76). That reference was in turn substituted, as from 1 April 1980, by a reference to The Local Government Act 1974 pursuant to section 9(1) Local Government Amendment Act 1979 (1979 No 59).

A reference to The Public Works Act 1928 was substituted for a reference to The Public Works Act 1908 pursuant to section 346 Public Works Act 1928 (1928 No 21). That reference was further substituted, as from 1 February 1982, pursuant to section 248(1) Public Works Act 1981 (1981 No 35).

## **8 Agreement with JJ Craig (Limited)**

*[Repealed]*

Section 8: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

## **9 Council empowered to raise separate sums as one loan of \$274,000**

*[Repealed]*

Section 9: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

**10 Purposes for which loans raised**

*[Repealed]*

Section 10: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

**11 The City of Auckland Consolidated Loan, 1914**

*[Repealed]*

Section 11: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

**12 Authority to erect a cadet drill-hall, etc**

Notwithstanding the provisions of The Auckland Domain Vesting Act 1893, or any other Act, it shall be lawful for the Auckland Council to erect, equip, and maintain upon some part of the Auckland Domain a building for the purposes of a cadet drill-hall and company rooms and purposes incidental thereto.

Section 12: amended, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

**13 Council may hire or let building**

The Auckland Council may hire or let such building to any person or body for shows, exhibitions, meetings, and other purposes, and may make and, or, authorize any such person or body to make such charges for admission to or for the use of such building, or any part or parts thereof, as the Council shall deem proper; and the Council may prescribe and enforce the times and conditions when and subject to which any persons shall be allowed to enter or use the said building or any part or parts thereof:

Provided that it shall not be lawful to make any charge for admission to the said building on more than thirty days in any year.

Section 13: amended, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).