

Otago Harbour Board Empowering Act 1911

Local Act 1911 No 25
Date of assent 28 October 1911

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An Act to vest Further Powers in the Otago Harbour Board.

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

- 1 Short Title**
This Act may be cited as the Otago Harbour Board
Empowering Act, 1911.
- 2 Interpretation**
In this Act **the Board** means the Otago Harbour Board.

3 Power to lease to West Harbour Corporation

It shall be lawful for the Board to grant to the Mayor, Councillors, and Burgesses of the Borough of West Harbour and its assigns a lease of part of the lands described or referred to in the Schedule hereto alone, or with part of any adjoining lands hereafter vested in the Board, not exceeding a total area of six acres and two roods. Such lease may be granted subject or not subject to the payment of rent for a term not exceeding fifty years, and for such purposes, with such powers, and with, upon, and subject to such terms and conditions, as the Board shall think proper; and the said Corporation may exercise all the rights and powers conferred by such lease notwithstanding the provisions of any other Act.

4 Power to grant lease as compensation

For the purpose of compensating any person possessed of lands under lease or tenancy from the Board for lands so held taken, or which may be taken, by His Majesty the King or the Minister of Railways in connection with the deviation of the railway-line between Dunedin and Ravensbourne, or any part or parts of such line, it shall be lawful for the Board to grant to such person a lease of other lands vested in the Board for a term not exceeding the unexpired residue of the term of the existing lease or tenancy, and with, upon, and subject to terms and conditions similar to those of such existing lease or tenancy, but so that it shall not be obligatory to require the payment of any further or other rent for the land leased by virtue of this section; and for the purpose aforesaid the Board may accept a surrender of such existing lease or tenancy and include in such new lease the lands remaining vested in the lessee or tenant.

5 Power to grant lease to Dunedin City Corporation

It shall be lawful for the Board to grant to the Mayor, Councillors, and Citizens of the City of Dunedin and its assigns for any purpose of public utility or otherwise for the benefit of the inhabitants of the City of Dunedin, or the public generally, or any section thereof respectively, a lease of any lands now or hereafter vested in the Board (whether

reclaimed from the sea or not) subject or not subject to the payment of any rent, and for such period, with such powers, and with, upon, and subject to such terms and conditions, as the Board shall think fit; and the Corporation may exercise all the rights and powers conferred by such lease notwithstanding the provisions of any other Act.

6 Amendment of section 3, Otago Harbour Board Empowering Act, 1893

Section three of the Otago Harbour Board Empowering Act 1893, is hereby amended by adding at the end thereof the words “so far as regards such buildings and improvements, but all or any of such provisions may be included in such lease with reference to any buildings or improvements thereafter erected on the land comprised therein.”

7 Act to be deemed special Act

This Act shall be deemed to be a special Act within the meaning of The Harbours Act 1950.

The reference to The Harbours Act 1923 was substituted, as from 1 January 1924, for a reference to The Harbours Act 1908 pursuant to section 259 Harbours Act 1923 (1923 No 40). That reference was in turn substituted, as from 15 October 1950, for a reference to The Harbours Act 1950 pursuant to section 269(1) Harbours Act 1950.

Schedule

ALL those parcels of land, containing together 26 acres 2 roods 22 $\frac{1}{5}$ poles, more or less, situated in the Upper Harbour of Otago, particularly shown on plan in portfolio of suburban land deposited in the office of the Chief Surveyor, at Dunedin, and therein coloured yellow, and being the land comprised in certificate of title registered in Volume 97, folio 94, of the Register-books of the Lands Registry Office at Dunedin.