

Invercargill Waterworks Reserve Act 1887

Local Act 1887 No 15
Date of assent 23 December 1887

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An Act to appropriate a Portion of the Town Belt of Invercargill to and for the Purposes of Waterworks.

Preamble

WHEREAS by a Crown grant bearing date on or about the seventeenth day of January, in the year one thousand eight hundred and sixty-three, all that parcel of land situate in the Town of Invercargill, containing by admeasurement seventy-five acres three roods twenty-six perches, more or less, forming a belt round the northern, eastern, and southern sides of the said town, was granted to the Superintendent of the Province of Southland and his successors in fee-simple in trust for public purposes connected with the

improvement and benefit of the Town of Invercargill, to wit, to be used for the purposes of public pleasure, recreation, and amusement: And whereas by a deed of conveyance bearing date on or about the twenty-fifth day of January, in the year one thousand eight hundred and eighty-two, and made between Her Majesty the Queen, of the one part, and the Mayor, Councillors, and burgesses of the Borough of Invercargill, of the other part, the parcel of land comprised in the said Crown grant was, in exercise of the powers vested in her by virtue of The Abolition of Provinces Act 1875, and The Municipal Corporations Act 1876, granted, conveyed, and assured by Her Majesty the Queen to the Mayor, Councillors, and burgesses of the Borough of Invercargill in trust for public purposes connected with the improvement and benefit of the Town of Invercargill, to wit, to be used for purposes of public pleasure, recreation, and amusement: And whereas the Council of the Borough of Invercargill are about to construct waterworks for the supply of water for the use of the inhabitants of the Town of Invercargill, and it is expedient to appropriate and set apart for the purposes of such waterworks the portion of the said parcel of land described in the Schedule to this Act:

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

1 Short Title

The Short Title of this Act is The Invercargill Waterworks Reserve Act 1887.

2 Interpretation

In this Act, if not inconsistent with the context,—

Corporation means the Mayor, Councillors, and burgesses of the Borough of Invercargill, constituted under The Municipal Corporations Act 1886.

Council means the Council of the said borough

Waterworks bears the same meaning as it bears in The Municipal Corporations Act 1886.

3 Land described in Schedule to be appropriated for purposes of waterworks

All that parcel of land described in the Schedule to this Act is hereby appropriated and set apart, and shall henceforth be held by the Corporation, for the purposes of waterworks for the supply of water for the use of the inhabitants of the Borough of Invercargill: Provided nevertheless that the inhabitants of the said borough shall not be excluded from so much of the said parcel of land as shall not be actually used and occupied by the tower, reservoir, buildings, and other erections which may be built or put up thereon for the purpose of such waterworks.

4 Capital value of land to be ascertained every year

On or before the fifteenth day of January, in the year one thousand eight hundred and eighty-eight, and on or before the same day in each year thereafter, the valuer or valuers for the said borough, acting under the provisions of The Rating Act 1876, or any amendment thereof in force within the said borough, shall prepare, sign, and transmit to the Council a valuation in writing, setting forth the capital value, according to the best of his or their skill and judgment, of the said parcel of land described in the said Schedule.

5 Ten dollars per centum on the amount of such capital value to be charged every year to Waterworks Account

On the first day of April, in the year one thousand eight hundred and eighty-eight, and on the same day in each year thereafter, there shall be charged to the separate account required to be kept by section 337 of The Municipal Corporations Act 1886, a sum equal to ten dollars per centum on such capital value so fixed, in addition to the sums to be charged to such account under the said section.

The reference to “ten dollars” was substituted, as from 10 July 1967, for a reference to “five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

6 Amount so charged to be expended in improvement firstly of the land described in the Schedule hereto, and then of recreation reserves or public park

The said sum so charged to the said separate account shall be expended by the Council during the ensuing year in the improvement and ornamentation firstly of the land described in the Schedule to this Act, and secondly of the lands held by the said Corporation for purposes of public pleasure, recreation, and amusement, or for public gardens or for a public park, or some of such lands, and such expenditure so far as the same shall be in respect of the said land described in the said Schedule shall be made in accordance with a plan prepared by the Corporation, and now deposited in the Colonial Secretary's Office, in Wellington.

Schedule

ALL that piece or parcel of land in the Town of Invercargill, containing 2 acres 1 rood 20 perches, more or less, being part of the land comprised in the above-recited Crown grant, commencing at a point 50 links south and 100 links east of the north-east corner of Section No 11, Block LVII, Town of Invercargill aforesaid, and bounded as follows, that is to say, by a line running due north, 550 links; thence due east, 432 links; thence due south, 550 links; thence due west, 432 links, to the commencing-point.