

Petone Water-Supply Conservation Act 1907

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Contents

	Page
Title	1
Preamble	1
1 Short Title	2
2 Governor may vest land in Schedule 1 in Council as waterworks reserve	2
3 Council empowered to buy leasehold interests of land in Schedule 3	3
4 Council may acquire fee-simple of Schedule lands	3
5 Certificate of title to issue on payment of purchase-money	3
Schedule 1	3
Schedule 2	4
Schedule 3	4

An Act to empower the Council of the Borough of Petone to acquire Land for Waterworks Conservation Purposes.

Preamble

WHEREAS the Petone Corporation waterworks are situate on the Korokoro Stream, which runs through the land described in Schedule 1 hereto: And whereas for the purposes of easy access to the Corporation reservoir, and for the conservation of the stream, and the protection and repair of the Corporation water-pipes, it is expedient that such land should be vested in the said Corporation: And whereas the land described in Schedules 2 and 3 hereto has been acquired by the Crown under the provisions of the Land for

Settlements Consolidation Act 1900, and is now subject to the provisions of that Act, but as to the land described in Schedule 2 hereto no applications under the Land Act 1892, have been received: And whereas the land described in Schedule 3 hereto has been disposed of by way of lease under the Land Act 1892, to divers lessees, who are now in occupation of the respective sections leased by them: And whereas the land in the Second and Third Schedules hereto is traversed by the aforesaid Korokoro Stream or its tributaries, and forms the catchment area which drains into the said stream: And whereas it is inadvisable that any of such land should be occupied so as to endanger the purity of the said Corporation water-supply, and it is deemed expedient that parts of such land should be planted with trees for the better conservation of such supply: And whereas no power exists under any Act enabling the said Corporation to acquire the interest of the Crown or of the lessees in the said lands, and it is expedient that such power should be given:

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

This Act may be cited as the Petone Water-supply Conservation Act 1907.

2 Governor may vest land in Schedule 1 in Council as waterworks reserve

The Governor may by Proclamation vest the land described in Schedule 1 hereto in the Mayor, Councillors, and Burgesses of the Borough of Petone as a reserve for waterworks purposes, and upon the gazetting of the said Proclamation the said land shall absolutely vest in and be under the control of the said Council for the purposes aforesaid.

3 Council empowered to buy leasehold interests of land in Schedule 3

The Petone Borough Council is hereby empowered to purchase from the respective lessees of the several sections mentioned in Schedule 3 hereto their respective interest in the said leases, upon such terms and conditions as may be agreed upon between the Council and the several lessees; and upon payment of the agreed-upon purchase-money and signing of the transfer of the lease by any of such lessees to the said Council, such lessees' interest shall become vested in the said Council, the provisions of the Acts hereinbefore recited notwithstanding; and thereupon it shall not be necessary for the said Council to observe the conditions of the leases relative to residence and improvements.

4 Council may acquire fee-simple of Schedule lands

The said Council is hereby empowered to purchase, and the Governor may sell, the fee-simple of any of the lands described in Schedule 2 hereto, and such of the lands in Schedule 3 hereto as the said Council may become lessees of, and any other lands held under the said Acts of which the said Council may become lessees, at a price equal to in each case the capital value of the land as fixed by the Minister under section fifty-one of the Land for Settlements Consolidation Act 1900.

5 Certificate of title to issue on payment of purchase-money

Upon payment of the purchase-money the Governor may issue a warrant for a certificate of title under the provisions of the Land Transfer Act 1885, in favour of the said Council for the land acquired from time to time, and the purchase-money shall be paid into the Land for Settlements Account.

Schedule 1

ALL that parcel of land, containing 17 acres 2 roods 31 perches, being part of Section 104, Block XIII, Belmont Survey District, and

marked as Crown land upon a plan deposited in the office of the Chief Surveyor, at Wellington, as No 42/62.

Also all that parcel of land, containing 69 acres 2 roods 2 perches, being Section 39, Block VIII, Belmont Survey District, and known as the Forest Reserve, as shown upon a plan numbered 42/67, deposited in the office of the Chief Surveyor, at Wellington.

Schedule 2

ALL those parcels of land situate in Block VIII of the Belmont Survey District, comprising Sections 40, 41, 42, 43, 47, 49, 50, 51, 52, 53, 55, 57, and 60 of the Normandale Settlement, as shown upon plans numbered respectively 42/68 and 42/69, deposited in the office of the Chief Surveyor, at Wellington.

Schedule 3

ALL those parcels of land situate in Block VIII of the Belmont Survey District, comprising Sections 44, 45, 48, 56, and 58 of the Normandale Settlement, as shown upon the aforesaid plans numbered 42/68 and 42/69, deposited in the office of the Chief Surveyor, at Wellington.