

Wellington Harbour Board and Corporation Empowering Act 1898

Local Act 1898 No 7
Date of assent 13 September 1898

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Wellington that the Board should provide additional wharfage, and berthage accommodation for vessels whilst under repairs, and it has been ascertained that the only suitable position for portions of such accommodation is to the seaward of the defined line: And whereas, by reason of the Corporation not having completed the reclamation from the sea of the lands described in the said Act lying within the defined line, and being unwilling to immediately undertake such reclamation, the Board is unable to provide the necessary wharfage and berthage accommodation: And whereas by section four of the said recited Act certain land, being portion of the land described in the said grant, and being the land described in the Thirteenth Schedule to the said agreement, was, together with other land contiguous thereto, vested in the Board to be used for a graving-dock and slip, and for other purposes of a like nature or ancillary thereto, subject to the conditions expressed in the proviso to the said section: And whereas by a Proclamation dated the twelfth day of March, one thousand eight hundred and ninety-four, certain portions of the said land so vested in the Board as aforesaid by the said Act were taken for the extension of the Wellington-Napier Railway, whereby the area of the said land has been reduced: And whereas it is desirable for the purposes of the erection of the said additional wharfage and berthage accommodation, and also for the improvement of the Harbour of Wellington, that the land described in the said grant now remaining unreclaimed within the defined line should be reclaimed from the sea: And whereas by an Act of the General Assembly of New Zealand intituled The Wellington Harbour Board Loans Consolidation and Empowering Act 1884, the Board was empowered to construct within the Harbour of Wellington a basin, graving-dock, wet-dock, or slip, and also all works necessary for the convenient, proper, and efficient working of any such basin, graving-dock, wet-dock, or slip: And whereas it has been ascertained that, owing to the recent increase in the size and number of the vessels trading to the Port of Wellington, the land described in the said Thirteenth Schedule is insufficient in area for the purposes for which the same is vested in the Board: And whereas, for the purpose of obtaining a sufficient area of land for the construction thereon of the said works, and of other harbour-works, the Board and the Corporation on the thirteenth day of June, one thousand eight hundred and ninety-eight, duly entered

into the agreement set out in Schedule A hereto: And whereas it is expedient that the necessary powers should be granted to enable the Board and the Corporation to carry out the said agreement, and that further powers should be respectively vested in the Board and the Corporation:

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 Wellington Harbour Board and Corporation Empowering Act 1898.

2 Interpretation

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

The Board means the Wellington Harbour Board, constituted by The Wellington Harbour Board Act 1879

The Corporation means the **Mayor, Councillors, and Citizens of the City of Wellington**, incorporated under The Municipal Corporations Act 1886

The railway means the Te Aro Extension of the Wellington-Napier Railway

The Act means The Harbours Act 1878, and its amendments
The schedules herein referred to by numbers are the schedules to the agreement set out in Schedule A hereto.

3 Authorities to Board and Corporation

It shall be lawful for the Board and the Corporation, and they are hereby respectively authorised, to do, perform, and execute all acts, matters, and deeds that may be essential or convenient to give full force and effect to the agreement of the thirteenth day of June, one thousand eight hundred and ninety-eight, set out in Schedule A hereto, and the said agreement shall be binding upon the said parties respectively according to the tenor hereof. Section four of The Reclamation within the Harbour of Wellington Act 1887, shall henceforth be read and construed subject to the provisions of the said agreement.

4 Transfer of lands

The several lands agreed by the said agreement to be transferred by either party thereto to the other shall, by force of this Act, vest in the party to whom they are to be transferred, and that as on the respective dates fixed by the said agreement for such transfer.

5 Corporation land vested in Board. Second, Fifth, Eighth, and Fourteenth Schedules to agreement

The land described in the Second, Fifth, Eighth, and Fourteenth Schedules shall vest in the Board for the purposes for which it is constituted, and shall cease to be subject to the conditions and restrictions imposed upon the Corporation in respect thereof by The Reclamation within the Harbour of Wellington Act 1887.

6 Land, part bed of harbour, vested in Board. Sixteenth Schedule

The land described in the Sixteenth Schedule shall vest in the Board for the purposes for which it is constituted.

7 Land vested in Corporation for street. Sixth Schedule

So much of the land described in the Sixth Schedule as is not contained within the Crown grant of the twenty-fourth day of June, one thousand eight hundred and seventy-four, shall vest in the Corporation for street purposes, and the Board is hereby empowered to construct and form thereon a public street:

Provided always that on the said land being so reclaimed the Board shall have the same rights over the foreshore of such reclamation as it now has in respect of the foreshore now contained within the land comprised in the said Schedule.

8 Power to Board to reclaim

The Board may from time to time, subject to the provisions of the Act, reclaim from the sea so much of the land described in the Schedules, other than the Fifteenth Schedule, as is now covered by water, and may for that purpose, if it think fit, enter into any contract or contracts with any persons for the

execution of all or any of the works which may be necessary or expedient in or about the filling-up and reclamation of such land as aforesaid, upon such terms and conditions as may seem to it proper and reasonable.

9 Deviation of railway

The Board may at any time within three years of the coming into operation of this Act, with the consent of the Governor in Council, acquire for the purposes for which it is constituted the land described in the Ninth Schedule, and give in exchange therefor to Her Majesty the Queen the land described in the Tenth Schedule, and shall contribute the whole or any part of the actual cost of the construction or formation of any new railway premises or lines in substitution for those existing on the land described in the Ninth Schedule.

10 Deviation of road. Eleventh and Twelfth Schedules

The Board may acquire for the purposes for which it is constituted the land described in the Eleventh Schedule, and give in exchange therefor to the Corporation the land described in the Twelfth Schedule, and shall contribute the whole or part of the actual cost of the construction or formation of public streets upon the land described in the Twelfth Schedule, and on such construction and formation the public street now on the land described in the Eleventh Schedule shall be closed.

11 Board may take lands

The Board may, in addition to the powers to take land vested in it by the Act, purchase or take under the provisions of The Public Works Act 1894, any land, together with the buildings thereon, excepting land vested in Her Majesty the Queen, that it may require to provide approaches to any of the land described in the said agreement, and for the purpose of the diversions of the streets and railways hereby authorised, and for any works the Board is authorised to execute under this Act, and may purchase or take in addition to the land actually required all or any of the land described in Schedule B hereto, as the Board may think fit. All land so purchased or taken shall vest in the Board for the purposes for which it is constituted,.

- (1) The Board shall within six months from the date of the coming into operation of this Act apply to the Governor in Council for a Proclamation under the eighteenth section of The Public Works Act 1894, to take so much of the lands within Schedule B hereto as the Board may think fit, and shall within four years from the day upon which the said Proclamation shall have been gazetted close the streets known as Grainger Street and Allen Street, and construct a new street, sixty-six feet in width, from Courtenay Place to Victoria Street,;
- (2) Notwithstanding anything to the contrary in The Rating Act 1894, and any amendments thereof, or The Municipal Corporations Act 1886, and any amendments thereof, the lands taken under this section shall not be liable to pay any rates whatever to the Corporation so long as they shall remain the property of the Board, and not be let or leased;
- (3) The Compensation Court constituted under The Public Works Act 1894, in determining the amount of compensation to be awarded shall not take into account any increase of value that may arise, or be considered as likely to arise, through the operations of the Board under the provisions of this Act or otherwise.

Section 11 was amended, as from 13 September 1902, by section 13 Wellington Harbour Board Empowering Act 1902 (1902 No 6(L)), by omitting the words “and the Board may sell or dispose of any lands so purchased or taken by public auction private contract, or exchange”, and also from subsection (1) omitting the words “and shall within nine years from the day upon which the said Proclamation shall have been gazetted sell or otherwise dispose of all the lands taken under the said Proclamation and not required for street purposes”.

12 Board may construct streets

The Board may construct and form upon the lands described in the said agreement, except the lands described in the Seventh, Tenth, and Fifteenth Schedules, such streets as it may think fit.

13 Board may deal with streets on acquired land

The Board may, with the consent of the Corporation, construct and form streets upon any land acquired under section eleven, and may with the consent of the Corporation divert and close any existing streets, and, on such diversion or closing, the streets so diverted or closed shall cease to be public streets,

and shall vest in the Board, and may be disposed of by it by public auction, private contract, or exchange.

14 Special Act

This Act shall be deemed a special Act within the meaning of the Act, and of The Public Works Act 1894; and Parts 2, 3, and Fifth of the last-mentioned Act are, except where inconsistent with this Act, hereby incorporated with this Act.

15 Land vested in Corporation as endowments

The land to be transferred to or vested in the Corporation under the said agreement and this Act shall be held by the Corporation as an endowment.

16 Borrowing-powers to Corporation

The Council of the City of Wellington is hereby empowered to borrow, by way of special loan within the meaning of The Municipal Corporations Act 1886, the moneys to be paid by the Corporation under the said agreement for equality of exchange; such borrowing to be effected by special order, and without the necessity of taking any poll of the citizens.

Schedule A

**Deed Of AGREEMENT, made this
thirteenth day of June, one thousand eight
hundred and ninety-eight, between THE
WELLINGTON HARBOUR BOARD,
constituted under The Wellington
Harbour Board Act 1879 (hereinafter
called the Board of the one part, and
THE MAYOR, COUNCILLORS,
AND CITIZENS OF THE CITY OF
WELLINGTON, incorporated under
The Municipal Corporation Act 1886**

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

**(hereinafter called the Corporation), of
the other part.**

Preamble

WHEREAS the land described in the First Schedule hereto is vested in the Board: And whereas by grant from the Crown, dated the twenty-fourth day of June, one thousand eight hundred and seventy-four, the land described therein was vested in the Corporation upon trust for reclamation, and for purposes of public utility: And whereas by an Act of the General Assembly of New Zealand entitled The Reclamation within the Harbour of Wellington Act 1887, the Corporation was prohibited from reclaiming from the sea any part of the land comprised in the said grant lying to the seaward side of the line described in Schedule 1 to the said Act (therein and herein referred to as **the defined line**), and such part of the said land is the land described in the Fourth and Fifteenth Schedules hereto: And whereas the Corporation has reclaimed from the sea portions only of the land described in the said grant: And whereas by the said recited Act certain land, being portion of the land described in the said grant, and being the land described in the Thirteenth Schedule hereto, was, together with other land contiguous thereto, vested in the Board to be used for a graving-dock and slip, and for other purposes of a like nature or ancillary thereto, subject to a proviso that if at the expiration of fifteen years from the passing of the said Act the said land or any part thereof should not have been used for any of the purposes aforesaid, then the said land or such part thereof as should not have been so used should, upon repayment by the Corporation to the Board (which repayment the Corporation was authorised to make) of the actual cost of the reclamation of so much of such land

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

not used as aforesaid as should have been reclaimed, revert without conveyance in the Corporation: And whereas the said Act was passed on the tenth day of June, one thousand eight hundred and eighty-seven, and the said period of fifteen years expires on the tenth day of June, one thousand nine hundred and two: And whereas it is desirable for the improvement of the Harbour of Wellington that the land described in the said grant now remaining unreclaimed within the defined line should be reclaimed from the sea: And whereas, by an Act of the General Assembly of New Zealand intituled The Wellington Harbour Board Loans Consolidation and Empowering Act 1884, the Board was empowered, subject to the provisions of The Harbours Act 1878, and the several Acts amending the same, to construct within the Harbour of Wellington a basin, graving-dock, wet-dock, or slip, and also all works necessary for the convenient, proper, and efficient working of any such basin, graving-dock, wet-dock, or slip, as and when the Board should deem it expedient and proper so to do: And whereas it has been ascertained that owing to the recent increase in the size and number of the vessels trading to the Port of Wellington the land described in the Thirteenth Schedule is insufficient in area for the purposes for which the same is vested in the Board: And whereas, with a view of obtaining a sufficient area of land for the construction thereon of the said works, and of other harbour-works, the Board proposed to acquire from the Corporation the land described in the Second, Fifth, and Eighth Schedules hereto, being portions of the land described in the said grant, upon the basis that the Corporation should take the land described in the First Schedule hereto in exchange for the land described in the Second, Fifth, and Eighth Schedules hereto, and that any surplus in value should be paid by the Corporation to the Board, or the Board to the Corporation, as the nature of the case might require,

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

to which the Corporation agreed, and the Board also proposed to acquire from the Corporation the land described in the Fourth and Fifteenth Schedules hereto, and the Corporation agreed to transfer the said land to the Board upon the terms and conditions hereinafter appearing: And whereas, on valuations being taken, it was found that the land described in the First Schedule hereto exceeded in value the land described in the Second, Fifth, and Eighth Schedules hereto by the sum of thirty-three thousand dollars (\$33,000): And whereas it was ultimately agreed between the Board and the Corporation that the Board should transfer to the Corporation the land described in the First Schedule hereto, and that the Corporation should transfer to the Board the land described in the Second, Fifth, and Eighth Schedules hereto, and pay to the Board the sum of thirty-three thousand dollars (\$33,000): And it was further agreed that the Board and the Corporation should enter into the following agreement: Now, in pursuance of the said agreement, it is hereby agreed and declared:—

The references to “thirty-three thousand dollars”, “eight dollars”, and “ten thousand four hundred and thirty-seven dollars sixty-six and two-thirds cents” were substituted, as from 10 July 1967, for references to “sixteen thousand five hundred pounds sterling”, “four pounds”, and “five thousand two hundred and eighteen pounds sixteen shillings and eightpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

1

The Board shall on the twenty-eighth day of February, one thousand nine hundred and seven, transfer to the Corporation the land described in the First Schedule hereto, together with all erections and buildings thereon, and all rights, ways, easements, and appurtenances thereto appertaining, free from all encumbrances but subject to the then existing leases.

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

2

The Corporation shall, within one month from the passing of the Act referred to in clause 13 hereof, transfer to the Board the land described in the Second, Fourth, Fifth, Eighth, and Fifteenth Schedules hereto, and will on the twenty-eight day of February, one thousand nine hundred and seven, pay to the Board the sum of thirty-three thousand dollars (\$33,000).

The references to “thirty-three thousand dollars”, “eight dollars”, and “ten thousand four hundred and thirty-seven dollars sixty-six and two-thirds cents” were substituted, as from 10 July 1967, for references to “sixteen thousand five hundred pounds sterling”, “four pounds”, and “five thousand two hundred and eighteen pounds sixteen shillings and eightpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

3

The Corporation shall, at any time after the passing of the said Act, when called upon by the Board so to do, dedicate the land described in the Third Schedule hereto as a public street.

4

The Board may reclaim from the sea the land described in the Fourth Schedule hereto:

Provided always that such land shall only be used for the purposes of the works described in clause 14 hereof.

5

The Board may, after the passing of the said Act, construct upon the land described in the Sixth Schedule hereto a public street.

6

In the event of the Board acquiring so much of the land described in the Ninth and Eleventh Schedules hereto as are comprised within the land described in the Seventh Schedule

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hereto, the Board will immediately transfer the same to the Corporation without requiring any consideration therefor.

7

The Board will not reclaim from the sea any of the land described in the Fifteenth Schedule hereto.

8

In the event of the Board acquiring the land described in the Ninth Schedule hereto, and the present railway constructed thereon being deviated on to the land described in the Tenth Schedule hereto, the Corporation will permit the Board to divert the street now existing on the land described in the Eleventh Schedule hereto on to the land described in the Twelfth Schedule hereto, and will on the completion of such diversion transfer to the Board, without requiring any consideration therefor, so much of the land described in the Tenth and Eleventh Schedules but not included in the Twelfth Schedule hereto as is now vested in the Corporation, and as is not agreed to be transferred by the Corporation to the Board under any other clause of this agreement; such land contained in the Tenth Schedule hereto shall be then held by the Board for the deviation thereonto of the railway, and that contained in the Fourteenth Schedule shall be then held by the Board for the same purposes as the land described in the Thirteenth Schedule hereto is to be held by the Board.

9

The Corporation, when called upon by the Board so to do, will, after the passing of the said Act, remove all the erections or buildings being in or upon the land described in the Eighth Schedule hereto.

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10

The Corporation hereby consents to the Board acquiring and reclaiming the land described in the Sixteenth Schedule hereto, being land lying to the seaward of the seaward boundary of the Te Aro Grant.

11

The Board shall, before reclaiming from the sea any of the land described in the Second, Fourth, Fifth, and Sixteenth Schedules hereto, extend at the expense of the Board the public watercourses to the sea-wall of any proposed reclamation, and such extensions shall be effected to the satisfaction of the City Surveyor.

12

The Board may construct streets upon the land described in the Second and Third Schedules hereto after the said land has become vested in the Board:

Provided, however, that such streets shall be constructed in accordance with the specifications this day signed for identification by the Town Clerk and the Secretary to the Board. And the Corporation will, on construction in accordance with this proviso, take over the said streets and maintain and light the same.

13

The Board will promote a Bill in the General Assembly of New Zealand for powers for the Board and the Corporation to carry out the terms of this agreement, and the Corporation will assist the promotion thereof.

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- 14** It is hereby mutually agreed as follows, and by the Bill referred to in clause 13 hereof provision shall be sought to give effect to such mutual agreement, namely:—
- (1) The purposes for which the land described in the Thirteenth Schedule shall be held by the Board shall be the purposes of a substantial graving-dock, or floating dock, or slip, reasonably sufficient (as at the time of the commencement of such works) for the requirements of the port, and purposes of a like nature or ancillary thereto, but for no other purpose.
 - (2) The land described in the Fourth Schedule hereto shall, when transferred to the Board, be held by it for the like purpose as mentioned in subclause (1) of this clause, but for no other purpose.
 - (3) If the Board shall, within the period of fifteen years limited in the proviso to section 4 of The Reclamation within the Harbour of Wellington Act 1887, or within such extended time as is hereinafter mentioned, have substantially commenced the construction upon the land comprised in the Thirteenth and Fourth Schedules hereto (treated for this purpose as one parcel of land) of a substantial graving-dock, or floating dock, or slip, reasonably sufficient for the requirements of the port, the Corporation's right of reverter under the said section 4 of the said Act shall cease and be extinguished as regards the whole and every part of the land in the Thirteenth Schedule hereto, notwithstanding that some part or parts of such land may not have been actually utilised for or in connection with such works.
 - (4) If the said works shall not be substantially commenced within such time or extended time as aforesaid, then the whole of the

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land in the Thirteenth and Fourth Schedules hereto shall revert to and vest in the Corporation. The Corporation shall in that case pay to the Board the actual cost of the reclamation of so much of the land in the Thirteenth Schedule hereto as shall have been reclaimed by the Board, but shall not pay for any reclamation of any land in the Fourth Schedule hereto.

- (5) Where there is any conflict between these presents and the said section 4 of The Reclamation within the Harbour of Wellington Act 1887, these presents shall prevail.

15

The Corporation will, at the request of the Board, extend the said period of fifteen years for a further period expiring on the twenty-eighth day of February, one thousand nine hundred and seven; and the Board will, unless a *bona fide* start be made with the works by the tenth day of June, one thousand nine hundred and two, pay to the Corporation during such extended period, or until the earlier completion of the works, interest on the capital value of the land described in the Thirteenth Schedule hereto at the rate of four dollars per centum per annum, by equal half-yearly payments. Such capital value shall be ascertained as on the tenth day of June, one thousand nine hundred and two; and if any dispute shall arise as to the amount of such capital value, then such dispute shall be referred to two arbitrators, one to be appointed by each party, and such reference shall be deemed to be a reference to two arbitrators within the meaning of The Arbitration Act 1890.

The words “four dollars” were substituted, as from 10 July 1967, for the words “four pounds” pursuant to section 7(2) Decimal Currency Act 1964 (1964 No 27).

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

16

In the event of the land described in the Thirteenth and Fourth Schedules hereto not being used for the purposes for which it is to be held as aforesaid by the twenty-eighth day of February, one thousand nine hundred and seven, the payment to be made hereunder by the Corporation to the Board shall be reduced by the sum of ten thousand four hundred and thirty-seven dollars sixty-six and two-thirds cents (\$10,437 66 2/3¢).

The references to “thirty-three thousand dollars”, “eight dollars”, and “ten thousand four hundred and thirty-seven dollars sixty-six and two-thirds cents” were substituted, as from 10 July 1967, for references to “sixteen thousand five hundred pounds sterling”, “four pounds”, and “five thousand two hundred and eighteen pounds sixteen shillings and eightpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

17

The Board shall not accept a surrender of any now existing lease of any of the land described in the First Schedule hereto, nor execute any fresh lease of any such land, nor vary any of the terms of any such existing or fresh lease, without the written consent of the Corporation:

Provided always that no lessee or intending lessee shall be concerned to inquire whether such consent has been given.

18

Neither party shall encumber specifically any of the land to be transferred to the other party.

19

This agreement is entered into upon the express terms that if the Board shall not, within five years from the date hereof, obtain the powers necessary to enable this agreement to be

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carried out by the parties hereto, these presents shall cease to be of any force or effect, and the agreements herein contained shall be rescinded, and that without the execution of any deed or document.

In witness whereof the parties hereto have executed these presents the day and year first hereinbefore written.

The common seal of the Wellington Harbour Board was hereunder affixed by order of the said Board, in the presence of—

[LS]

FRANCIS H FRASER, Chairman.

THOMAS GALE,

JOHN HUTCHESON,

WILLIAM FERGUSON, Secretary.

Members.

The common seal of the Mayor, Councillors, and Citizens of the City of Wellington was hereunto affixed in the presence of—

[LS]

J R BLAIR, Mayor.

CHARLES E W WILLESTON, Councillor.

J E PAGE, Town Clerk.

Deed Of AGREEMENT, made this thirteenth day of June, one thousand eight hundred and ninety-eight, between THE WELLINGTON HARBOUR BOARD, constituted under The Wellington Harbour Board Act 1879 (hereinafter called **the Board** of the one part, and THE MAYOR, COUNCILLORS, AND CITIZENS OF THE CITY OF WELLINGTON, incorporated under The Municipal Corporation Act 1886 (hereinafter called **the Corporation**), of the other part.—*continued*

The Schedules Above Referred To

First Schedule

ALL that block of land in the City of Wellington, bounded by Customhouse Quay, Hunter Street, Jervois Quay, and the Queen's Wharf approach, known as "the Wellington Harbour Board's Hunter Street Endowment and old Queen's Bond Site", comprising the whole of the lands in—

- (1) Certificate of Title, Vol 43, folio 29, of the Land Register of the District of Wellington, being the lands vested in the Board and described in section 8 and subsection (2) of Schedule 2 of The Wellington Harbour Board and Corporation Land Act 1880, as modified by the provisions of sections 4 and 5 and by Schedules 3 and 4 to The Wellington Harbour Board Land and Reclamation Act 1883, and in The Wellington Queen's Wharf and Store Sales Act 1881, being the Bonded Store site; and as further modified by a deed dated the 16th October, 1890, made between the Wellington Harbour Board and the Corporation of the City of Wellington, divesting from the Board and vesting in the Corporation the piece of land forming part of the Bonded Store site afore-mentioned, and as particularly described in the Schedule to the said deed:
- (2) Certificate of Title, Vol 55, folio 36, of the before-mentioned register, as part of the old Queen's Bond site purchased by the Board from the Corporation of Wellington under the above-mentioned Wellington Queen's Wharf and Store Sales Act 1881:
- (3) Certificate of Title, Vol 55, folio 37, of the same register, as part of the land reclaimed from the Harbour of Welling-

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ton under the aforesaid Wellington Harbour Board Land and Reclamation Act 1883, and being the land referred to in and vested in the Corporation by section 7 and Schedule 5 of The Wellington Corporation and Harbour Board Streets and Lands Act 1892:

- (4) Certificate of Title, Vol 66, folio 167, of the same register, as part of the land reclaimed from the Wellington Harbour under the above-mentioned Wellington Harbour Board Land and Reclamation Act 1883, and vested in the Board under section 6 and Schedule 4 of The Wellington Corporation and Harbour Board Streets and Lands Act 1892.

Second Schedule

All that area within the Te Aro Grant and within the defined line west of the Dock site, coloured pink and edged pink on the said plan annexed hereto, containing an area of 9 acres 3 roods 34 perches. Commencing at a point “a” on the defined line, and bounded thence 862.6 links, on a bearing of 127°, to the point “n”; thence by a curve of 450 links radius, trending to the eastward, 230 links, to the point “a n”; thence 117.6 links to the point “o”, on a bearing of 97° 45’, and 428 links on the same bearing to the point “q”, all the aforesaid lengths and bearings forming part of the defined line; thence by the Dock site, western boundary, 722 links, on a bearing of 171° 31’, to the point “j”; thence 370.4 links, on a bearing of 283° 35’ 15”, to the point “i”; thence 720 links, on a bearing of 293° 0’ 54”, to the point “h”; thence 493.5 links and 195 links, on a bearing of 307° 7’ 22”, to the point “g”; thence by a curved line, being the seaward boundary of Jervois Quay as defined under section 12 of The Wellington Corporation and

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Harbour Board Streets and Lands Act 1892, in a north-westerly direction, 418 links, to the point “f”; thence 300 links, on a bearing of $36^{\circ} 19'$, to the starting-point at “a”, on the defined line: be the said area, bearings, and distances a little more or less.

Third Schedule

All that area adjoining Jervois Quay, coloured sienna and edged blue on the said plan annexed hereto, containing an area of 18 perches. Commencing at a point “c” on the seaward boundary of Jervois Quay as defined under section 12 of The Wellington Harbour Board and Corporation Streets and Lands Act 1892, and thence bounded by a line 175 links, on a bearing of 127° , to the point “b”; thence 124 links, on a bearing of $216^{\circ} 19'$, to the point “f”; thence in a north-westerly direction 217 links, by a curved line, being the said boundary of Jervois Quay as referred to in the Second Schedule hereof, to the starting-point at “c”: be the said area, bearings, and distances a little more or less.

Fourth Schedule

All that area lying outside the defined line, and within the Te Aro Grant, coloured pink and edged blue on the said plan annexed hereto, containing an area of 1 acre 2 roods 32 perches. Commencing at a point “o” on the defined line, bounded thence by the defined line, 428 links, to the point “g”, 708.9 links to the point “u”, and 609.1 links to the point “W”, all on a bearing of $97^{\circ} 45'$; thence along the eastern boundary of the Te Aro Grant, 240.3 links, on a bearing of

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14° 31', to the point "X"; thence along the boundary of the Te Aro Grant, 483.7 links, on a bearing of 249° 54' to the point "V"; thence along the boundary of the Te Aro Grant, 233.9 links to the point "t", and 491.7 links to the point "r", both on a bearing of 290° 22'; thence 250 links to the point "p", and 411 links to the starting-point at "o", on the defined line, both on a bearing of 262° 45': be the said area, bearings, and distances a little more or less.

Fifth Schedule

All that portion of land lying east of the Dock site, and within the defined line, coloured pink and edged pink on the said plan annexed hereto, containing an area of 3 roods and 34 perches. Commencing at a point marked "u" on the defined line; bounded thence by the defined line, 609.1 links, on a bearing of 97° 45', to the point "W"; thence by the eastern boundary of the Te Aro Grant, 195.4 links, on a bearing of 194° 31', to the point "S"; thence 101.2 links to the point "T", and 306.2 links to the point "U", both on a bearing of 293° 32'; thence 307.5 links, on a bearing of 203° 32', to the point "v"; and thence by the eastern boundary of the Dock site, 394.9 links, on a bearing of 351° 31', to the starting-point at "u", on the defined line: be the said area, bearings, and distances a little more or less.

Sixth Schedule

All that portion of land contiguous to Clyde Quay and to the land described in the Fifth Schedule, and coloured sienna and edged sienna on the plan annexed hereto, containing an area of 1 rood and

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11 perches. Commencing at a point “Q” on the western boundary of Clyde Quay; bounded thence by the said boundary 100 links, on a bearing of $224^{\circ} 57'$, to the point “P”; thence 192.1 links, on a bearing of $314^{\circ} 57'$, to the point “R”; thence 190.6 links, on a bearing of $14^{\circ} 31'$, to the point “T”; thence 101.2 links, on a bearing of $113^{\circ} 32'$, to the point “S” on the eastward boundary of the Te Aro Grant; thence by the said boundary, 117.5 links, on a bearing of $194^{\circ} 31'$, to the point “Z Z”; and thence 134.9 links, on a bearing of $134^{\circ} 57'$, to the starting-point at “Q”, on Clyde Quay: be the said area, bearings, and distances a little more or less.

Seventh Schedule

All that portion of land between the Dock site and Clyde Quay, coloured green and edged green on the said plan annexed hereto, containing an area of 3 acres 1 rood 17 perches. Commencing at a point marked “P”, and thence bounded by the western side of Clyde Quay, 559.1 links to the point “N”, and 150.3 links to the point “M”, both on a bearing of $224^{\circ} 57'$; thence 259.9 links, on a bearing of $303^{\circ} 26' 30''$, to the point “K”; thence 35.1 links to the point “C”, 52.5 links to the point “y”, 29 links to the point “x”, 78.2 links to the point “w”, 371.8 links and 307.5 links to the point “U”, all on a bearing of $23^{\circ} 32'$; thence 306.2 links, on a bearing of $113^{\circ} 32'$, to the point “T”; thence 190.6 links, on a bearing of $194^{\circ} 31'$, to the point “R”; and thence 192.1 links, on a bearing of $134^{\circ} 57'$, to the starting-point at “P” on the said boundary of Clyde Quay: be the said area, bearings, and distances a little more or less.

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Eighth Schedule

All that land in the City of Wellington on the south side of that portion of Victoria Street lying between Tory Street and Cambridge Terrace as edged red in three blocks on the plan annexed hereto, and being all the land between the said streets remaining at this date vested in the Wellington City Council, containing a total area of 3 roods 21 perches. Commencing at the corner of Victoria Street and Cambridge Terrace, and having frontages respectively of 154 links, 377.74 links, and 60.69 links, with a depth of 151.52 links, lettered on the plan as “a a”, “A A”, “b b”, “c c”, and “d d”, “e e”, “f f”, “g g”, and “h h”, “k k”, “l l”, “m m”. Each of these three blocks of land is in the form of a parallelogram, of which the front is bounded by Victoria Street and the back by the Te Aro Grant, parallel to Victoria Street, and 98.18 feet distant at a right angle therefrom: be the said area and distances a little more or less.

Ninth Schedule

All that portion of land on the north side of Victoria Street at present used for the purposes of the Wellington—Woodville Railway, as shown on the said plan annexed hereto and thereon edged blue, containing an area of 1 acre 2 roods 9 perches. Commencing at a point “i”, and bounded thence 370.4 links, on a bearing of 103° 35' 15", to a point “j” on the west boundary of the Dock site; thence 517.8 links, on a bearing of 102° 35' 30", to a point “w” on the eastern boundary of the Dock site; thence 78.2 links, on a bearing of 203° 32', to the point “x”; thence 110 links, on a bearing of 110° 42' to the point “O”; thence 233.3 links, on a bearing of 102° 35' 30", to the point “Z” on

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the western boundary of Clyde Quay; thence along the said boundary of Clyde Quay 76.5 links, on a bearing of 224° 57'; thence 155 links, 161.7 links, 267.4 links, and 573.7 links, all on a bearing of 282° 35' 30", to the point "A"; thence 164 links, on a bearing of 6° 39', across the Te Aro Station-yard to the starting-point at "i": be the said area, bearings, and distances a little more or less.

Tenth Schedule

All that portion of land as shown upon the plan annexed hereto and coloured blue and edged sienna, containing an area of 1 acre 1 rood 15 perches. Commencing at a point marked "i", and bounded thence 318.1 links, on a bearing of 113° 0' 54", to the point "K": thence 297.1 links to the point "B", and 503.5 links to the point "L", on the western boundary of Clyde Quay, both on a bearing of 123° 26' 30"; thence 110.6 links by the said boundary of Clyde Quay produced, on a bearing of 224° 57', to the point "J"; thence 196.1 links to the point "H", and 291.8 links to the point "E", both on a bearing of 303° 23'; thence 538.2 links, on a bearing of 293° 14' 30", to the point "A"; thence 164 links, on a bearing of 6° 39', across the Te Aro Station-yard to the starting-point at "i": be the said area, bearings, and distances a little more or less.

Eleventh Schedule

All that portion of land now used as a public street and reserve, as shown upon the plan annexed hereto and edged yellow, containing an area of 1 acre and 37 perches. Commencing at a point marked

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“A”, and bounded thence 573.7 links to the point “B”, 267.4 links to the point “C”, 161.7 links and 155 links, all on a bearing of $102^{\circ} 35' 30''$, to the point “N”, on the western boundary of Clyde Quay; thence 150.3 links to the point “M”, and 61.8 links to the point “L”, both on a bearing of $224^{\circ} 57'$; thence 224 links, on a bearing of $303^{\circ} 26' 30''$, to the point “G”; thence 306 links to the point “E”, and 538 links to the point “D”, both on a bearing of $282^{\circ} 35' 30''$; thence 100.4 links, on a bearing of $17^{\circ} 55'$, to the starting-point at “A”: be the said area, bearings, and distances a little more or less.

Twelfth Schedule

All that portion of land to be used for Victoria Street in place of that described in the Eleventh Schedule hereto, coloured sienna and edged sienna on the plan attached hereto, containing an area of 3 roods and 12 perches. Commencing at a point “A”, and bounded thence 538.2 links, on a bearing of $113^{\circ} 14' 30''$ to the point “E”; thence 291.8 links, on a bearing of $123^{\circ} 23'$, to the point “H”, and situated on a line on the production of the western side of Cambridge Terrace; thence along the said produced line 101.5 links, on a bearing of $203^{\circ} 32'$, to the point “I”, on Cambridge Terrace; thence 300.3 links, on a bearing of $303^{\circ} 23'$, to the point “F”; thence 520 links, on a bearing of $293^{\circ} 14' 30''$ to the point “D”; and thence 100.4 links, on a bearing of $17^{\circ} 55'$, to the starting-point at “A”: be the said area, bearings, and distances a little more or less.

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Thirteenth Schedule

All the portion of the Dock site vested in the Board under section 4 of The Reclamation within the Harbour of Wellington Act 1887, that is situated on the seaward side of the line described in the Ninth Schedule; and as coloured pink and edged sienua on the plan annexed hereto, containing an area of 5 acres and 24 perches. Commencing at a point marked “q” on the defined line, and bounded thence 708.9 links along the defined line, on a bearing of $97^{\circ} 45'$, to the point “u”; thence 394.9 links, on a bearing of $171^{\circ} 31'$, to the point “v”; thence 371.8 links, on a bearing of $203^{\circ} 32'$, to the point marked “w”; thence 517.8 links, on a bearing of $282^{\circ} 35' 30''$, to the point marked “j”; thence 722 links, on a bearing of $351^{\circ} 31'$, to the starting-point on the defined line at “q”; be the said area, bearings, and distances a little more or less.

Fourteenth Schedule

All that portion of land lying south of the land described in the Seventh and Ninth Schedules, and west of Clyde Quay, coloured pink on the plan annexed hereto, containing an area of 1 rood and 6 perches. Commencing at a point “B”, and bounded thence 267.4 links, on a bearing of $102^{\circ} 35' 30''$, to the point “C”; thence 35.1 links on a bearing of $303^{\circ} 32'$, to the point “K”; thence 259.9 links, on a bearing of $123^{\circ} 26' 30''$, to the point “M”, on the western boundary of Clyde Quay; thence by the said boundary, 61.8 links, on a bearing of $224^{\circ} 57'$, to the point “L”; and thence 503.5 links, on a bearing of 303°

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26' 30", to the starting-point at "B": be the said area, bearings, and distances a little more or less.

Fifteenth Schedule

All the reclaimed portion of the Te Aro Grant not described in any of the preceding Schedules, being land covered by water, as the same is shown white edged with blue on the plan annexed hereto, containing an area of 11 acres 3 roods 28 perches. Commencing at a point marked "E E" on the boundary of the land described in Schedule 3 of The Reclamation within the Harbour of Wellington Act 1887; thence 276.5 links, on a bearing of $183^{\circ} 5'$, to the point "F F"; thence 1127 links, on a bearing of $171^{\circ} 31'$, to the point "H H"; thence curving to the south-east, 750 links radius, for a distance of 582 links; thence 58 links to the point "D", 9 links to the point "a", and 862.6 links to the point "n", all on a bearing of 127° ; thence by a curve of 450 links radius, trending to the south-east, 230 links, to the point "a n"; thence 117.6 links, on a bearing of $97^{\circ} 45'$, to the point marked "O", all the aforesaid lengths and bearings being part of the defined line; thence 411 links to the point "P", and 250 links to the point "r", both on a bearing of $82^{\circ} 45'$ on the seaward boundary of the Te Aro Grant; thence by the said seaward boundary of the said grant, 557.3 links, on a bearing of $290^{\circ} 22'$, to the point "K K"; thence 1252.8 links, on a bearing of $309^{\circ} 46'$, to the point "J J"; thence 1250.9 links, on a bearing of $328^{\circ} 51'$, to the point marked "G G"; thence 410.5 links, on a bearing of $346^{\circ} 50'$, to the starting-point at "E E": be the said area, bearings, and distances a little more or less.

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Sixteenth Schedule

All that portion of land now covered by water, situated to the seaward of the Te Aro Grant, containing 1 acre 3 roods 5 perches. Commencing at the point marked “r” on the said grant; thence 430.8 links, on a bearing of 82° 45’, to the point marked “s”; thence 724.9 links, on a bearing of 97° 45’, to the point “Y”; thence 44.3 links, on a bearing of 194° 31’, to the point “X”, at the eastward corner of the Te Aro Grant; thence by the seaward limit of the Te Aro Grant, 483.7 links, on a bearing of 249° 54’, to the point “V”; thence by the said seaward limit of the grant, 233.9 links, to the point “t”, and 491.7 links to the starting-point at “r”, both on a bearing of 290° 22’: be the said area, bearings, and distances a little more or less.

The reference in the foregoing Schedules to the plan said to be annexed hereto is to be deemed a reference to the plan deposited at the office of the Marine Department, Wellington, and marked “M D 2193”.

J R BLAIR, Mayor.

J E PAGE, Town Clerk.

FRANCIS H FRASER, Chairman of the
Wellington Harbour Board.

WILLIAM FERGUSON, Secretary.

Schedule B

ALL that land in the City of Wellington shown on a plan deposited at the office of the Marine Department, Wellington, and marked “M

D 2193": Bounded towards the north by Victoria Street, towards the west by Tory Street, towards the south by Courtenay Place, and towards the east by Cambridge Terrace; including therein the streets known as Grainger Street and Allen Street, as hatched in green lines thereon, but excluding thereout the lands contained in the Eighth Schedule.