

Wellington Harbour Board and Corporation Land Act 1880

Local Act 1880 No 21
Date of assent 1 September 1880

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An Act to vest certain Land in the Wellington Harbour Board, and also to vest certain other Land in the Mayor, Councillors, and Citizens of the City of Wellington.

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

The Short Title of this Act is The Wellington Harbour Board and Corporation Land Act 1880.

2 Interpretation

In this Act if not inconsistent with the context,—

Board means the Wellington Harbour Board as constituted under The Wellington Harbour Board Act 1879;

Minister means the Minister appointed under or acting for such under The Public Works Act 1876.

3 Provisions of The Harbours Act 1878, to apply to all lands vested in the Board by this Act

Except where provision is made to the contrary by this Act, all the provisions of The Harbours Act 1878, shall extend to all the lands and the wharf hereby vested in the Board; and this Act shall be deemed to be a special Act within the meaning of The Harbours Act 1878.

4 Land and wharf vested in Board

The parcels of land together with the Railway Wharf described in Schedule 1 to this Act are hereby absolutely vested in the Board, and shall be held by it for the purposes for which the said Board is constituted, and under and subject to the following terms and conditions:—

- (1) The Board shall maintain the Railway Wharf and the breastwork along Waterloo Quay, and all approaches thereto, in good repair and condition in all respects:
- (2)
- (3) Her Majesty the Queen may from time to time lay such lines of railway along Waterloo Quay and the Railway Wharf, and the approaches thereto, as may be thought fit, and may from time to time remove and alter the same:

- (4) No compensation or allowance shall be made or paid by Her said Majesty to the Board for the use or occupation of the Railway Wharf, or Waterloo Quay, or any of the land hereby vested in the Board:
- (5) The lines of railway built on the said wharf and Waterloo Quay shall be maintained by Her Majesty the Queen, who may conduct the whole of the traffic on the said railway and Railway Wharf, under and subject to any Act, by-laws, or regulations for the time being in force, and applicable generally to railways and works connected therewith.

Subsection (2) was repealed, as from 16 September 1938, by section 38(2)(a) Reserves and Other Lands Disposal Act 1938 (1938 No 19).

5 Restriction on powers of Board in respect of lands in Schedule 1

The Board shall not have any power to sell, mortgage, charge, lease, or otherwise alienate or dispose of the land and wharf referred to in the said Schedule 1, or any right or interest therein; nor shall the said land or the Railway Wharf or any such right or interest be liable to be dealt with or in any way affected by or under the provisions of sections 208 to 211 inclusive of The Harbours Act 1878.

6 Board not to execute works without sanction of Minister

The Board shall not construct any buildings or execute any works on Waterloo Quay, or on the piece of land adjoining the railway or the Railway Wharf, without having first obtained the consent in writing of the Minister.

7 Powers of Minister in respect of land and wharf mentioned in Schedule 1

Should the Board fail or neglect to perform or observe any condition by this Act imposed upon it with respect to the land and wharf described in the said Schedule 1, or which, in the opinion of the Minister, are necessary to insure the safety of Her Majesty's subjects, or of any of Her Majesty's property, the Minister may, after having given notice in writing of his intention to the Board, forthwith do all acts and things necessary for giving effect to this provision; and the cost of

so doing shall be recoverable from the Board as a debt due to the Crown, or may be deducted from any moneys due or payable to the Board by or on behalf of Her Majesty or the Government of the colony.

8 Endowments for Board

The pieces of land described in Schedule 2 to this Act are hereby vested in the Board as an endowment for the said Board, and shall be held by them subject to the provisions of The Harbours Act 1878.

9 Land vested in Corporation of Wellington

The piece of land described in Schedule 3 to this Act is hereby vested in the Mayor, Councillors, and Citizens of the City of Wellington, for the like purposes and objects as are set forth in The Te Aro Reclamation Act 1879; and the provisions of that Act shall apply and extend to the said piece of land in the same manner as if it had been included within the lands affected thereby.

10 Corporation or Harbour Board to make compensation

[Repealed]

Section 10 was repealed, as from 13 September 1882, by section 3 Wellington Harbour Board and Corporation Land Act 1880 Amendment Act 1882 (1882 No 2(P)).

Schedule 1

1

Paragraph (1) was amended, as from 16 September 1938, by omitting the following words “All that piece or parcel of land in the City of Wellington, known as Waterloo Quay, as the same is shown in red on the plan marked PWD 7942, and deposited in the Public Works Office, Wellington” pursuant to section 38(2)(b) Reserves and other Lands Disposal Act 1938 (1938 No 19).

Clause 1 was repealed, as from 25 September 1987, by section 19 Wellington Harbour Board and Wellington City Council Vesting and Empowering Act 1987 (1987 No 5(L)).

2

All that parcel of land in the Provincial District of Wellington, containing by admeasurement 9 acres 3 roods 11 perches, more or less, being part of the Section numbered 8 on the plan of Watts' Peninsula. Bounded towards the North, towards the West, and towards the South by other parts of Section numbered 8, 870 links, 1529 links, and 200 links respectively, and on the East by the harbour.

3

All that parcel of land in the Provincial District of Wellington, containing by admeasurement 4 acres 3 roods and 24 perches, more or less, being part of Section numbered 17 on the plan of Watts' Peninsula. Bounded on the North-east by other part of said Section No 17, 700 links; on the South-east by other part of said Section No 17, 700 links; on the South-west by other part of said Section No 17, 700 links; and on the North-west by other part of said Section No 17, 700 links.

4

All that portion of the foreshore of Port Nicholson (*ie*, the land lying between high-water mark and low-water mark), from the Military Reserve at Dorset Point to the Patent Slip Company's grant in Evans's Bay.

5

Also, that other portion of the foreshore of Port Nicholson, from the Patent Slip Company's Grant, in Evans's Bay, to the Magazine Reserve at Point Jerningham.

6

Also, that other portion of the foreshore of Port Nicholson, from the Magazine Reserve at Point Jerningham to the Te Aro Foreshore Grant.

7

Also, that other portion of the foreshore of Port Nicholson from Koro Koro Stream to Pencarrow Head.

Schedule 2

1

All that piece or parcel of land of a triangular shape lying between Feather-stone Street, Lambton Quay, and Bunny Street, in the City of Wellington, and containing 1 acre and 21 perches, more or less, as shown on the plan, PWD 7942, deposited in the Public Works Office, Wellington.

2

All that area in the Provincial District of Wellington, situate in the City of Wellington, containing by admeasurement 3 roods and 37 perches, more or less. Bounded towards the North-west by the Queen's Wharf, 280 links; towards the South-east by the Te Aro Foreshore Grant of 1874, 451 links; towards the South-west by the production of the northern side of Hunter Street from Customhouse Quay to the said Te Aro Foreshore Grant, 301 links; again towards the North-west by Customhouse Quay, 151 links; and again towards the North-east and North-west by the Queen's Bonded Warehouse, 69 links and 152 links, to the Queen's Wharf: be all the aforesaid linkages more or less.

Schedule 3

All that area in the Provincial District of Wellington, situate in the City of Wellington, containing by admeasurement 1 acre 1 rood and 13 perches, more or less. Bounded towards the North-east by the area described in Schedule 2, 301 links; towards the South-east by the Te Aro Foreshore Grant of 1874, 1137 links; towards the South-west by the production of the southern side of the Sewer Reserve, 76 links; again towards the North-west by the said reserve, by Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, by Harbour Street, by Sections 18, 19, 20, 21, 22, 23 of Sir George Grey's Reclamation, 935 links; again towards the South-west by Section 24, 132 links, by Section 25, 68 links and 47 links; and again towards the North-west by Customhouse Quay, 150 links: be all the aforesaid linkages more or less.