

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]
House of Representatives, 9th December, 1909.

Hon. Mr. Fowlds.

GREY LYNN DOMAIN VESTING.
[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to provide that certain Lands in the Borough of Grey Lynn shall be vested in the Mayor, Councillors, and Burgesses of the Borough of Grey Lynn for the Purposes of a Public Domain.

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

1. This Act may be cited as the Grey Lynn Domain Vesting Act, 1909. Short Title.
2. In this Act, if not inconsistent with the context, "Corporation" means the Mayor, Councillors, and Burgesses of the Borough of Grey Lynn; and "Council" means the Council of the said borough. Interpretation.
3. The roads and streets included within the area of land described in clause one of the Schedule hereto are hereby closed, and shall cease to be public roads. Closing roads.
4. Upon the passing of this Act the whole of the lands described in the Schedule hereto (including the aforesaid roads and streets), with all rights and appurtenances thereto, shall vest in the Corporation in fee-simple, for the purposes and subject to the provisions of this Act; and upon production to the District Land Registrar of at the City of Auckland of a copy of this Act by the Mayor of the Corporation the Registrar shall cause such land to be registered in the name of the Corporation, freed and discharged from all or any estates, easements, or interests whatsoever of any person or body therein, and from any trusts affecting the same, but subject only to the trusts and provisions hereby created; and such Registrar shall make, sign,

and issue such certificates, transfers, or other instruments under the Land Transfer Act, 1908, as shall be necessary for the purpose of giving effect to this Act.

Control of Domain.

5. The lands described in the said Schedule shall be held by the Corporation under this Act as a place of public recreation and enjoyment for the inhabitants of the Borough of Grey Lynn and the public generally, and for the purposes thereof shall be under the control and management of the Council of the Borough of Grey Lynn, who shall in respect thereof have all such powers and authorities as such Council has under the Municipal Corporations Act, 1908, in respect of places of public recreation purchased or provided under that Act. 5 10

Public baths.

6. The Corporation may erect, provide, and maintain one or more public baths upon the said lands, and the Council shall in respect thereof have all such powers and authorities as such Council has under sections two hundred and eighty-nine and two hundred and ninety of the Municipal Corporations Act, 1908, in respect of public baths provided thereunder. 15

Powers of Corporation with regard to a sports-ground.

7. The Corporation may lay out any portion or portions of the lands described in the said Schedule as a sports-ground, and 20

(a.) May enclose the said sports-ground or any part thereof which it may at any time be found necessary or desirable to plant, improve, or lay down in artificial grasses, or to renew such grasses :

(b.) May prohibit the public from entering upon or encroaching on any part of the sports-ground so planted or laid down, but otherwise may not make any disposition of the sports-ground whereby the public shall be excluded from the free access thereto, except on certain days, not exceeding ~~twenty~~ ten in any year, as hereinafter mentioned : 25 30

(c.) May prescribe, as to not more than ~~twenty~~ ten days in any year, as they shall think fit, which shall not be a Sunday, Christmas Day, or Good Friday, that the public shall not be entitled to have admission to the sports-ground, or to any part thereof set apart for a particular purpose, unless upon payment of a charge as hereinafter mentioned : 35

(d.) May, on payment of such sum as they shall fix, grant the exclusive use of the sports-ground, or any part thereof, on any one or more of the aforesaid ~~twenty~~ ten days, but not for more than three days consecutively at any time, to any person, body, or society (incorporate or not) for the purpose of particular sports, games, or other recreation, with authority for such person, body, or society to demand a fee or charge for admission on such day or days to the sports-ground or part thereof so granted, not in any case exceeding for each day one shilling for each person, with an extra shilling for every horse or vehicle which he may desire to take with him, unless such person desires to obtain admission to the stand hereinafter mentioned, in which case an additional fee or charge, not exceeding five shillings, may be imposed prior to his obtaining admission to such stand : 40 45 50

- 5 (e.) May erect, or authorise any person, body, or society (incorporate or not) to erect, upon some portion of the sports-ground, buildings for ornamental purposes or a stand or pavilion, upon such terms as to plans, size, situation, custody, and otherwise in all respects as the Corporation shall determine; and may appoint the mode and price of admission to any such stand or pavilion on any of the days hereinbefore mentioned:
- 10 (f.) May prescribe the games which shall be permitted to be played in the sports-ground or any part thereof, and regulate the use of the sports-ground for such games, and may prohibit the playing of any games at times when the sports-ground would be thereby damaged, and prohibit altogether the playing of any particular game therein:
- 15 (g.) May from time to time make, ~~alter, or revoke~~ by-laws ~~or regulations~~ for the management of the sports-ground and for the preservation of order thereon, all which by-laws ~~or regulations~~ shall be publicly notified by advertisement in some newspaper circulating in the district, and by being posted on some conspicuous place in the sports-ground so that they may be easily read:
- 20 (h.) ~~Provided that~~ No person shall be required to pay any fee or charge for admission on any day when the sports-ground or any part thereof is specially set apart as aforesaid, unless public notice of the sports-ground being set apart on such day, and of the prices to be charged for admission thereto or to the stand, has been advertised in some newspaper circulating in the district where the sports-ground is situate, twice a week at least for two successive weeks prior to the said day;
- 30 (i.) ~~And provided that~~ Any person who shall enter the said sports-ground or stand upon any ~~such~~ day so fixed without having paid the fee or charge advertised ~~shall be~~ is liable to a ~~penalty~~ fine of not more than *twenty* shillings, which may be recovered in a summary way.

35 8. Without prejudice to any such powers and authorities, the said Council may do all such acts and things as may be requisite or proper to be done in maintaining, ornamenting, laying out, and managing the lands hereby vested in the Corporation for the purposes of this Act. General powers of Borough Council.

40 9. All moneys which, under the provisions of any statute, deed, or agreement, are payable to the Board for the maintenance of the said lands shall continue to be set apart, paid, and applied by the Corporation for the purposes of this Act; and, so far as such moneys are unpaid or do not extend, the Corporation may lay out and expend for the purposes of this Act such part of the Borough Fund as may be necessary. Expenditure for maintenance.

50 10. Sections forty-six and fifty-one to fifty-three, inclusive, of the Public Reserves and Domains Act, 1908, shall extend and apply to the said lands; and any powers thereby conferred may be exercised by the Corporation, or the Council thereof, without any appointment from the Governor under that Act, in the Certain sections of the Public Reserves and Domains Act, 1908, to extend and apply to the Domain.

same manner as though the Governor had, by Order in Council gazetted, duly appointed the Corporation, or the Council thereof, to be a Domain Board under the said Act, and such appointment had remained in full force and effect:

Provided always that in any prosecution for any breach of section fifty-two of the said Act it shall not be necessary to prove that the act was done without the license of the Governor. 5

Struck out.

Power to lease.

11. The Corporation shall have power to lease such parts of the lands hereby vested in it as are included in clause two of the Schedule hereto, but no other, for such term and on such conditions as such Corporation may think fit. 10

Schedule.

SCHEDULE.

Struck out.

1. ALL that piece or parcel of land, containing 25 acres 2 roods 10·9 perches, more or less, situated in the Waitemata Survey District, and being parts of Allotments 34, 38, 39, 40, 41, 46, and 47 of Section 8 of the Suburbs of Auckland, and being Lots 13 to 36, inclusive, of Section 76; Lots 13 to 24, inclusive, and 29 and 30, of Section 75; Lots 19 and 20 of Section 74; Lots 4 to 15, inclusive, of Section 57; Section 58; Lots 1 to 10, inclusive, and 16 to 24, inclusive, of Section 59; Lots 1 to 6, inclusive, and 24, of Section 60; Lots 4 to 9, inclusive, of Section 49; Section 48; Lots 1, 2, 3, and 6, inclusive, of Section 47; Section 44; Lots 1, 2, and 6, inclusive, of Section 45; Lots 13 to 18, inclusive, of Section 36; Lots 13 to 18, inclusive, of Section 35; and Lots 7 to 24, inclusive, of Section 34 of the Subdivision of Allotments 34, 35, 36, 37, 38, 39, 40, 41, 46, and 47 of Section 8 of the Suburbs of Auckland, called the Surrey Hills Estate, delineated upon the plans deposited in the District Lands Registry Office at Auckland as Nos. 1720, 282, 283, and 329; together with certain roads or streets shown on the said plans as intersecting the said lands. Bounded (commencing at a point on Cox's Creek) towards the north by the northern boundary-line of Lots 13 and 36 of Section 76, distance 378 links; thence crossing Farrar Street, 100 links; thence by the northern boundary-line of Lot 13 of Section 75, distance 200 links; towards the east by the eastern boundary-line of Lots 13 to 18 of Section 75, distance 363·6 links; again towards the north by the northern boundary-line of Lot 30 of Section 75, distance 200 links; thence across Arnold Street, distance 100 links; thence by the northern boundary of Lot 19 of Section 74, distance 200 links; towards the east by the eastern boundary-lines of Lots 19 and 20 of Section 74, distance 121·2 links; towards the south by the southern boundary of Lot 20 of Section 74, distance 200 links; thence across Arnold Street, 100 links; thence by the southern boundary of Lot 29 of Section 75, distance 200 links; towards the east by the eastern boundary-line of Lots 21 and 24 of Section 75, distance 256·1 links; thence across Rose Road, 100 links; towards the north by Rose Road, 200 links; thence across Arnold Street, 100 links; thence along northern boundary of Section 59, 400 links; thence across Chamberlain Street, 100 links; thence along northern boundary of Section 60, distance 400 links; towards the east by Disraeli Street, 175 links; towards the south by southern boundary of Lots 4, 5, and 6 of Section 60, distance 200 links; towards the east by the eastern boundary of Lot 24 of Section 60, distance 58·3 links; towards the south by the southern boundary-line of Lot 24 of Section 60, distance 200 links; thence across Chamberlain Street, distance 100 links; towards the east by Chamberlain Street, 175 links; towards the south by the southern boundary of Lot 10 of Section 59, distance 200 links; towards the east by eastern boundary-line of Lots 20, 19, and 16 of Section 59, distance 291·6 links; thence across Murdock Road, 100 links; towards the north by Murdock Road, distance 200 links; thence across Chamberlain Street, 100 links; thence again by Murdock Road, 260·6 links; towards the east by the eastern boundary-line of Lot 3 of Section 47, distance 131 links; thence across Firth Road, 118·2 links; towards the north-east by the north-eastern boundary-line of Lot 2 of Section 45, distance 148·7 links; thence across Campbell Road, 100 links; towards the north-west by Campbell Road, 200 links; towards the north-east by Disraeli Street, 525 links; towards the south-east by the south-eastern boundary-line of Lots 7 and

Struck out.

24 of Section 34, distance 400 links: towards the south-west by Chamberlain Street, 350 links: thence towards the south-east, across Chamberlain Street, 100 links; by the south-eastern boundary-lines of Lots 13 to 18 of Section 35, distance 400 links; across Arnold Street, 100 links; and by the south-eastern boundary-line of Lots 13 to 18 of Section 36, distance 400 links: towards the south-west by Farrar Street, 175 links: towards the north-west by Campbell Road, 400 links; and across Arnold Street, 100 links: towards the south-west across Campbell Road, 100 links; the south-west boundary of Section 44, distance 173·3 links and 173·3 links; and across Firth Road, 100 links: towards the south-east across Arnold Street, 100 links; and along Firth Road, 200 links: towards the south-west and west by the south-west and western boundary-lines of Lots 9 and 4 of Section 49, distances 216·3 links and 216·3 links; and across Murdock Road, 100 links: towards the south by Murdock Road, 200 links; across Farrar Street, 100 links; and again by Murdock Road, 200 links: towards the west by the western boundary-line of Lots 15, 12, 11, 10, 9, 8, 7, and 4 of Section 57, distance 700 links; thence across Rose Road, 100 links: towards the south by Rose Road, 200 links: towards the west by Owens Road, 697·7 links: towards the north-west by the north-western boundary-line of Lot 13 of Section 76, distance 33 links: and towards the west by Cox's Creek to the commencing-point.

2. All that piece or parcel of land, containing 28 acres 1 rood 14 perches, more or less, situated in the Waitemata Survey District, and being Allotment 21 of Section 9 of the Suburbs of Auckland. Bounded towards the north-west by the Cox's Creek Bridge Road; generally towards the north by Allotments 26, 25, and 24 of Section 8 of the Suburbs of Auckland; and towards the east by part of Allotment 24 and by Allotment 27 of said Section 8; towards the west and south and again towards the east by Allotments 1 and 2 of Section 9 of the Suburbs of Auckland; and generally towards the west by part of Allotment 2 and by Allotments 7 and 8 of said Section 9 to the aforesaid road.

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ALL that area in the Auckland Land District, being Lots Nos. 7 to 24, inclusive, of Section 34; Lots Nos. 13 to 18, inclusive, of Section 35; Lots Nos. 13 to 18, inclusive, of Section 36; Section 44; Lots Nos. 1, 2, and 6 of Section 45; Lots Nos. 1, 2, 3, and 6 of Section 47; Section 48; Lots Nos. 4 to 9, inclusive, of Section 49; Lots Nos. 4 to 15, inclusive, of Section 57; Section 58; Lots Nos. 1 to 10, inclusive, and Lots Nos. 16 to 24, inclusive, of Section 59; Lots Nos. 1 to 6, inclusive, and Lot No. 24 of Section 60; Lots Nos. 19 and 20 of Section 74; Lots Nos. 13 to 24, inclusive, and Lots Nos. 29 and 30 of Section 75; and Lots Nos. 13 to 36 of Section 76: all the aforesaid sections being subdivisions of Allotments Nos. 34, 35, 36, 37, 38, 39, 40, 41, 46, and 47 of Section 8, Suburbs of Auckland, called the Surrey Hills Estate, and certain roads and streets intersecting the said lands and a reserve 5 links wide adjoining the north-west boundary of Lot No. 13 of Section 76 aforesaid, delineated on plans deposited in the District Land Registry Office, at Auckland, numbered 282, 283, 329, and 1720, containing by admeasurement 25 acres 2 roods 15 perches, more or less. Bounded commencing at a point on Cox's Creek intersected by the production of the northern boundary of Lot No. 13 of Section 76 aforesaid; towards the north by that produced line, Lots Nos. 12 and 37 of Section 76 aforesaid, the crossing of Farrar Street, and Lot No. 12 of Section 75 aforesaid, 684 links; towards the east by Lots Nos. 36, 35, 34, 33, 32, and 31 of Section 75 aforesaid, 363·6 links; again towards the north by the last-mentioned Lot No. 31, the crossing of Arnold Street, and Lot No. 18 of Section 74 aforesaid, 500 links; again towards the east by Lots Nos. 30 and 29 of Section 74 aforesaid, 121·2 links; towards the south by Lot No. 21 of Section 74 aforesaid, the crossing of Arnold Street aforesaid, and Lot No. 28 of Section 75 aforesaid, 500 links; again towards the east by the last-mentioned lot and Lot No. 25 of the same section and the crossing of Rose Road, 356·1 links; again towards the north by Rose Road aforesaid, the crossing of Arnold Street aforesaid, again by Rose Road aforesaid, the crossing of Chamberlain Street, and again by Rose Road aforesaid, 1200 links; again towards the east by Disraeli Street, 175 links; again towards the south by Lot No. 7 of Section 60 aforesaid, 200 links; again towards the east by last-mentioned Lot No. 7, 58·3 links; again towards the south by Lot No. 23 of Section 60 aforesaid and the crossing of Chamberlain Street aforesaid, 300 links; again towards the east by

New.

Chamberlain Street aforesaid, 175 links; again towards the south by Lot No. 11 of Section 59 aforesaid, 200 links; again towards the east by the last-mentioned Lot No. 11 and Lots Nos. 12 and 15 of Section 59 aforesaid and the crossing of Murdoch Road, 391·6 links; again towards the north by Murdoch Road aforesaid, the crossing of Chamberlain Street aforesaid, and again by Murdoch Road aforesaid, 560·6 links; again towards the east generally by Lot No. 4 of Section 47 aforesaid, the crossing of Firth Road, by Lot No. 3 of Section 45 aforesaid, and the crossing of Campbell Road, 131, 118·2, and 248·7 links; towards the north-west by Campbell Road aforesaid, 200 links; towards the north-east by Disraeli Street aforesaid, 525 links; towards the south-east by Lots Nos. 6, 5, 4, 3, 2, and 1 of Section 34 aforesaid, 400 links; towards the south-west by Chamberlain Street aforesaid, 350 links; again towards the south-east by the crossing of Chamberlain Street aforesaid, Lots Nos. 12 and 19 of Section 35 aforesaid, the crossing of Arnold Street aforesaid, and by Lots Nos. 12 and 19 of Section 36 aforesaid, 1000 links; again towards the south-west by Farrar Street aforesaid, 175 links; again towards the north-east by Campbell Road aforesaid and the crossing of Arnold Street aforesaid, 500 links; again towards the south-east by the crossing of Campbell Road aforesaid, by Arnold Street aforesaid, and the crossing of Firth Road aforesaid, 273·3 and 273·3 links; again towards the south-east by the crossing of Arnold Street aforesaid and by Firth Road aforesaid, 300 links; again towards the south-west and west by Lots Nos. 10, 13, 14, and 3 of Section 49 aforesaid and the crossing of Murdoch Road aforesaid, 216·3 and 316·3 links; again towards the south by Murdoch Road aforesaid, the crossing of Farrar Street aforesaid, and again by Murdoch Road aforesaid, 500 links; again towards the west by Lots Nos. 16, 19, 20, 21, 22, 23, 24, and 3 of Section 57 aforesaid and the crossing of Rose Road aforesaid, 800 links; again towards the south by Rose Road aforesaid, 200 links; again towards the west by Owen Street and the crossing of a reserve, 5 links wide, 703·3 links; again towards the north-west by Original Allotment No. 45 of Section 8, Suburbs of Auckland, 33 links; and again towards the south-west by Cox's Creek aforesaid to the point of commencement: be all the aforesaid linkages more or less.

All that area in the Auckland Land District, being Allotment No. 21 of Section 9, Suburbs of Auckland, and containing by admeasurement 28 acres 1 rood 14 perches more or less: bounded towards the north-west by Cox's Bridge Road; towards the north generally by Lot No. 22 of Allotment No. 26, Lots Nos. 5, 4, 3, 2, and 1 of Lots Nos. 23 and 24 of Allotments Nos. 25 and 26, by Lots Nos. 24, 38, and 37 of Allotment No. 25, by Lot No. 14 of Lot No. 6 of Allotment No. 24, by the abutment of Richmond Street, and by Lots Nos. 39, 38, and 37 of Lot No. 4 of Allotment No. 24—all the aforesaid allotments being of Section 8, Suburbs of Auckland; towards the east generally by part of Allotment No. 24 and Allotment No. 27 of original subdivision of Section 8, Suburbs of Auckland aforesaid; towards the south-west and south generally by Lots Nos. 3, 4, 5, 6, 9, and 10 of Lot No. 1 of Allotment No. 1 of Section 9, Suburbs of Auckland, the abutment of Stanley Street, by Lot No. 3 of Allotment No. 1 aforesaid, the abutment of a right-of-way, Lot No. 5 of the last-mentioned allotment, the abutment of a right-of-way, and by Lot No. 7 of Allotment No. 1 aforesaid; towards the south-east and again towards the east generally by the abutment of Queen Street, Lot No. 8 of Allotment No. 1 of Section 9 aforesaid, the abutment of a right-of-way, again by the last-mentioned Lot No. 8, the abutment of King Street, and by Lots Nos. 8, 7, 6, 5, and 4 of Lot No. 14 of Allotment No. 2 of Section 9 aforesaid; and again towards the south-west generally by Lot No. 15 of Allotment No. 2 of Section 9 aforesaid, and by Allotments Nos. 7 and 8 of the same section: as the same is more particularly delineated on plan marked 15262, deposited at the Survey Office, Auckland, and thereon edged red.