

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]
House of Representatives, 3rd September, 1925.

Mr. Sullivan.

RAWHITI DOMAIN BOARD EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to enable the Rawhiti Domain Board to subdivide Part of Reserve 1616 into Building Allotments and to provide Access thereto: confer Additional Power of leasing Portion of Rawhiti Domain.

Struck out.

WHEREAS by Order in Council dated the sixteenth day of September, eighteen hundred and ninety-six, Reserve 1616 was brought under the provisions of the Public Domains Act, 1881: And whereas by Order in Council dated the sixteenth day of September, eighteen hundred and ninety-six, the Governor delegated all the powers conferred by the Act first above mentioned, except the powers under or conferred by sections five and twelve thereof, to the Rawhiti Domain Board: And whereas by Order in Council dated the twenty-seventh day of January, nineteen hundred and thirteen, the New Brighton Borough Council was appointed to be the Rawhiti Domain Board for the purpose of and subject to the provisions of Part II of the Public Reserves and Domains Act, 1908: And whereas all that parcel of land containing one hundred and fifty-five acres three roods thirty-eight perches as described in the *First* Schedule hereto is vested in the said Rawhiti Domain Board as a recreation reserve: And whereas the said parcel of land is too large for such purpose: And whereas it is desirable and expedient that the said Rawhiti Domain Board shall have the power to proclaim a portion of the land in the *Second* Schedule hereto a public road and lease or otherwise dispose of the balance of the land in the *Second* Schedule hereto:

Preamble.

New.

WHEREAS the area described in the *First* Schedule hereto is a public domain subject to Part II of the Public Reserves and Domains Act, 1908, and known as the Rawhiti Domain: And whereas pursuant to powers in that behalf the control of the domain is vested in the New Brighton Borough Council as the Rawhiti Domain Board: And whereas it is desirable that additional powers be conferred for leasing that part of the said domain described in the *Second* Schedule hereto:

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

Short Title.

1. This Act may be cited as the Rawhiti Domain Board ~~Empowering~~ Act, 1925.

Struck out.

Reservation over land in *Second* Schedule cancelled. Board may let or lease land.

2. The reservation for the purpose of a recreation reserve over the land described in the *Second* Schedule hereto is hereby cancelled. 15

3. It shall be lawful for the Board, notwithstanding anything in the Public Reserves and Domains Act, 1908, or in any other Act, and it is hereby authorized and empowered, from time to time, to let or lease, by public tender, public auction, or private contract, for any purpose whatsoever, the said land described in the *Second* Schedule hereto, or any part or parts thereof, for any term not exceeding ninety-nine years, to take effect on possession or within six months from the making of the lease thereof, without any fine, premium, or foregift, at such rent or rents and upon and subject to such terms, conditions, covenants, agreements, and provisions as the Board may think fit, and any such lease or leases may provide for the payment by the incoming tenant of such sum as shall be fixed in manner prescribed by the Board for improvements made upon the land whether by the lessee named in such lease or any former lessee or tenant of all or any part of the land included in such lease. 20 25 30

Public Bodies' Leases Act, 1908, incorporated.

4. All the provisions of the Public Bodies' Leases Act, 1908, and all amendments thereof, so far as they are applicable to and not inconsistent with this Act, are hereby incorporated with and shall be read as part of this Act. 35

Board may subdivide land and lay off roads.

5. For the purpose of more effectually leasing the said land in the *Second* Schedule hereto, or any part thereof, it shall be lawful for the Board to subdivide the said land, and for the purpose of subdivision, but subject to the provision of any Act for the time being in force relating to roads, to lay off roads and dedicate the same to the public. 40

Rents, &c., how applied.

6. The rents, issues, profits, or other moneys from time to time received by the Board in respect of the land in the *Second* Schedule hereto, or any part thereof, shall be applied or used for the same purposes as rents, issues, profits, and other moneys received from other land held by the said Board for similar purposes may be applied. 45

New.

Governor-General may lease part of domain under Public Bodies' Leases Act, 1908.

2. (1.) The Governor-General may, with the written consent of the Rawhiti Domain Board, in the name and on behalf of His Majesty, grant leases of the whole or any portion of the lands within that part of the Rawhiti Domain described in the *Second* Schedule hereto. 50

New.

(2.) The Governor-General is hereby declared, with respect to such lands, to be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908, but in the exercise of the powers of a leasing authority he shall grant leases only on the tenancies set out in paragraphs (c) and (d) of section five of that Act.

(3.) Nothing in this Act shall exclude or restrict the right of any lessee or any person claiming through a lessee to obtain relief against forfeiture or determination of a lease granted under this Act in the same cases and on the same conditions as if the lease had been granted otherwise than by the Crown and in execution of statutory powers in that behalf.

(4.) The powers conferred by this Act shall be in addition to and not in substitution for any other existing powers of leasing the said lands.

3. All revenues received from any land leased under the powers conferred by this Act shall, after deduction of all expenses incurred in connection with the granting of such leases, be paid to the Rawhiti Domain Board to be expended for such purposes for the improvement or extension of the domain recreation-ground as the Minister of Lands approves.

Application of
revenues from leases
under this Act.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that area, containing by admeasurement 155 acres 3 roods 38 perches, more or less, being Reserve 1616 and part of Reserve 1579, situated in the Borough of New Brighton: bounded towards north-west by Rural Section 16013; towards north-east generally by the south-west side of the road running along the sea-coast, and by Rural Section 15835; towards the south-east by Rural Section 16238; and towards the south-west by the north-east side of the road which forms the south-western boundary of Rural Section 16238 aforesaid to Rural Section 34174, by that section and again by the north-eastern side of the last-mentioned road to Rural Section 16013 aforesaid: as the same is more particularly delineated on the plan, L. and S. No. 1443, deposited in the Head Office, Lands and Survey Department.

SECOND SCHEDULE.

Struck out.

ALL that parcel of land situated in the Borough of New Brighton, containing by admeasurement 16 acres 2 roods 30 perches, more or less, being part Reserve 1616: commencing at a point 181.4 links distant from the northern corner of Reserve 1616, along the western side of the Esplanade, and from there running along the western boundary of the Esplanade in a southerly direction for a distance of 2342.9 links; thence in a westerly direction on a bearing of 251° 57', for a distance of 600 links; thence in a southerly direction on a bearing of 161° 57', for a distance of 1395.7 links; thence in a westerly direction on a bearing of 223° 51', for a distance of 113.36 links; thence in a northerly direction on a bearing of 341° 57', for a distance of 1449.25 links; thence in a northerly direction on a bearing of 167° 0' 20", for a distance of 2357.1 links; thence in an easterly direction on a bearing of 58° 8', for a distance of 103.02 links; thence in an easterly direction on a bearing of 76° 3', for a distance of 561.1 links, to commencing-point: save and except that portion edged red on the plan herewith, and which is excluded from the area, and the same is more particularly delineated on the plan herewith and thereon coloured green and yellow.

New.

ALL that parcel of land situated in the Borough of New Brighton, containing by admeasurement 3 acres 2 roods 16 perches, more or less, being part Reserve 1616 : commencing at a point 181·4 links distant from the northern corner of Reserve 1616, along the western side of the Esplanade, and from there running along the western boundary of the Esplanade in a southerly direction for a distance of 1200 links ; thence in a westerly direction on a bearing of $256^{\circ} 3'$ for a distance of 300 links ; thence in a northerly direction on a bearing of $346^{\circ} 3'$ for a distance of 1200 links ; thence in an easterly direction on a bearing of $76^{\circ} 3'$ for a distance of 300 links to commencing-point.

By Authority : W. A. G. SKINNER, Government Printer, Wellington.—1925.