

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
15th October, 1936.*

Mr. McCombs.

SUMNER BOROUGH EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

Title.	3. Power to stop unformed street along seashore for recreation reserve.
Preamble.	4. Power to lease recreation reserve vested in Corporation pursuant to this Act.
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2. Changing reservation of recreation reserve, and cancelling Harbour Board rights.	Schedules.

A BILL INTITULED

AN ACT to remove certain Restrictions and Harbour Board Rights in respect of a Recreation Reserve in the Borough of Sumner, to make Provision for the Stopping of a certain Unformed Street along the Seashore in order to provide a further Recreation Reserve, and to confer certain Powers on the Sumner Borough Council in respect of the said Reserves. Title.

WHEREAS under section thirty-four of the Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act, 1901, the Corporation of the Borough of Sumner (hereinafter referred to as the Corporation) is seised of an estate in fee-simple in all that parcel of land described in the *First* Schedule hereto as a reserve for recreation purposes without power of sale or lease and subject to the condition that should the Lyttelton Harbour Board or any other Harbour Preamble.

Board at any time require the land for harbour or harbour-works purposes they shall have the right to enter upon, occupy, and use the same without having to pay compensation for so doing: And whereas the land will not be required by the Lyttelton Harbour Board or any other Harbour Board for harbour or harbour-works purposes: And whereas it is desirable to grant to the Sumner Borough Council (hereinafter referred to as the Council) power to lease the said land: And whereas all that parcel of land described in the *Second* Schedule hereto is vested in the Corporation and is part of an unformed street along the margin of the sea and is not required for use as a street: And whereas it is desirable to vest the said land described in the *Second* Schedule hereto in the Corporation as a reserve for recreation purposes without power of sale but with power to lease the said land:

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 Sumner Borough Empowering Act, 1936.

Changing reservation of recreation reserve, and cancelling Harbour Board rights.

2. The Governor-General may by Order in Council cancel the existing reservation over the land described in the *First* Schedule hereto, and also cancel the hereinbefore recited condition in favour of the Lyttelton Harbour Board or any other Harbour Board, and declare the said land to be vested in the Corporation as a reserve for recreation purposes.

Power to stop unformed street along seashore for recreation reserve.

3. Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, the Council may, in the manner and upon the conditions set out in the *Fifth* Schedule to that Act, stop the portion of a street described in the *Second* Schedule hereto. Nothing in the foregoing provisions of this section shall be construed to affect the power of the Governor-General to close that portion of a street under section twelve of the Land Act, 1924. Upon the said portion of a street being stopped or closed the land described in the *Second* Schedule hereto shall be deemed to be vested in the Corporation as a reserve for recreation purposes.

4. (1) The Council may lease any land that is vested in the Corporation as a reserve pursuant to the foregoing provisions of this Act, or any part thereof, together with any buildings thereon, either by public
5 auction or by public tender, for any period not exceeding twenty-one years, with a right of renewal for a period not exceeding twenty-one years, but not exceeding a total period of forty-two years, upon such terms and conditions as may be approved by the Council.
- 10 (2) The powers conferred by this section may be validly exercised notwithstanding any restriction or limitation imposed by any other Act.
5. The Council may place, erect, construct, and maintain on any land that is vested in the Corporation as
15 a reserve pursuant to section *two* or section *three* of this Act, or any part or parts thereof, such buildings as the Council may deem advisable for the establishment and development of tea-rooms, bathing-sheds, social hall, caretaker's residence, sun-bathing and life-saving
20 facilities, swimming-baths, children's playgrounds, and other beach amenities.

Power to lease recreation reserve vested in Corporation pursuant to this Act.

Power to erect certain buildings on the said land.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that parcel of land in the Land District of Canterbury situated in the Borough of Sumner, containing eleven acres or thereabouts, being Reserve 3549, and being all the land comprised in certificate of title, Volume 234, folio 121, Canterbury Land Registry.

SECOND SCHEDULE.

ALL that parcel of land in the Land District of Canterbury, situated in the Borough of Sumner, and containing by admeasurement 2 roods 25·4 perches, more or less, and being the land more particularly delineated on plan numbered 2425 deposited in the office of the Chief Surveyor at Christchurch, and thereon marked Lot 1 and coloured green.