

Mr. Hutcheson.

WELLINGTON CITY RECREATION-GROUND.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to enable the Mayor, Councillors, and the Citizens of the City of Wellington to acquire and deal with a Recreation-ground and other Lands. Title.

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

1. The Short Title of this Act is “The Wellington City Recreation-ground Act, 1901.” Short Title.

10 2. In this Act, if not inconsistent with the context,— Interpretation.
“City” means the City of Wellington;

“Corporation” means the Mayor, Councillors, and Citizens of the City of Wellington;

15 3. *Subject to the provisions of section five hereof, it shall be lawful for the Corporation to purchase the land comprised in the First Schedule, or any part thereof, in pursuance either of any the* Corporation may purchase land in First Schedule.

20 *contract existing before the passing of this Act or of one to be made thereafter, subject to any roads or rights of road or any easements through or over the same or any part thereof, and subject also to any leases or tenancies of or affecting any parts of such land.*

25 4. It shall be lawful for the Corporation to take, under the provisions of “The Public Works Act, 1894,” the said land or any part thereof, subject to any roads or rights of road through or over the same or any part thereof, instead of purchasing the said land or any part thereof. Corporation may in the alternative take the said land under the Public Works Act.

Special loans may be raised.

5. The Corporation may raise, under the provisions of "The Municipal Corporations Act, 1900," any special loan or special loans for the purpose of providing the whole or any part of the purchase-money or compensation to be paid by the Corporation for or in respect of acquisition of the said land or any part thereof; and also for providing funds for constructing roads and drains upon or under the said land or any part thereof, and for developing and improving such land. 5

Land in Second Schedule to form a recreation-ground.

6. The land described in the *Second* Schedule (being portion of the said land comprised in the *First* Schedule) shall, when acquired by the Corporation under the powers conferred by this Act, be used and for ever thereafter remain a public recreation-ground for the use and enjoyment of the inhabitants of the city and its suburbs; and the Council is hereby empowered to lay out and improve the said land, and to control and regulate the use thereof by by-laws to be made, evidenced, and enforced in manner set out in "The Municipal Corporations Act, 1900," and so that persons guilty of breaches of such by-laws shall be subject to the penalties and proceedings provided by and mentioned in section four hundred and eight of that Act. The Council is also empowered to lease such land or any part thereof in conformity with the conditions set out in the *Fourth* Schedule. 10 15 20

Land in Third Schedule may be leased.

7. After the acquisition of the land comprised in the said *First* Schedule, it shall be lawful for the Corporation to grant leases of all or any parts of that portion thereof described in the *Third* Schedule, in conformity with the conditions set out in the *Fifth* Schedule. 25

Corporation may lay off roads, &c.

8. The Corporation, having acquired the land comprised in the said *First* Schedule, may lay off and dedicate any public roads or streets, or public squares, or other public places through or upon any parts thereof, and may divert or alter the course of any existing or future roads or streets on the said land, and may develop and improve such land. 30

Land in First Schedule to be included in the city.

9. The land comprised in the said *First* Schedule shall from and after the time of the acquisition thereof by the Corporation under the powers conferred by this said Act be deemed to be severed from the Hutt County and the Seatoun Road District, and to form part of and to be included within the Borough of the City of Wellington for the purposes of "The Municipal Corporations Act, 1900," and "The Rating Act, 1894," and for all other purposes, anything in those or any other Acts to the contrary notwithstanding. 35 40

Certain loans to be apportioned.

10. (1.) It shall be lawful for the Corporation and the Seatoun Road Board to enter into an agreement under their respective common seals for the purpose of apportioning between such bodies, in such manner as they shall mutually approve, the payment of the principal and interest of any special or other loans charged on the Seatoun Road District or any part thereof, in respect of which loans any special rates shall be charged on the said land comprised in the *First* Schedule. Any dispute arising between the said bodies as to such apportionment shall be decided by the Controlier and Auditor-General. 45 50

(2.) The Corporation shall not be liable for any debts or engagements of the Hutt County Council or the Seatoun Road Board other than for the said apportioned part of the said principal moneys and interest fixed by any such agreement as aforesaid.

(3.) Nothing contained in this Act or in any such agreement as aforesaid shall affect the rights and remedies of any debenture-holders or other creditors of the Hutt County Council or the Seatoun Road Board.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

THE WHOLE ESTATE.

ALL that piece area of land, containing by admeasurement 1,498 acres 1 rood 7 perches, or thereabouts, more or less, situate in the Seatoun Road Port Nicholson Survey District, within the County of Hutt, being that part of Watt's Peninsula bounded on towards the north by land belonging to the Crown (military reserve); on towards the east generally by the roads running along the western sides of the Overton and Seatoun Extension Blocks and called respectively Crawford Road and Seatoun Heights Road, by the Township of Seatoun, a military reserve, and by the sea; on towards the south by a military reserve; and on towards the west and south-west by the land belonging to H. D. Crawford, Esq., and towards the north-west generally by road-line fronting Evans Bay to the military reserve first mentioned, Evans Bay Road, excepting thereout public, including an area of 1 rood 4 perches lying between Evans Bay Road and the sea about north-east of Trig. Station 36, and excluding from the above-described area all roads and the Signal Station Reserve of 4 acres 3 roods 24 perches, as coloured respectively brown and red on the plan hereinafter mentioned, and two small pieces of land (marked "Z" and "K" respectively on the plan hereinafter mentioned) not belonging to Messrs. A. D. and C. J. Crawford, the owners of the land intended to be comprised in this Schedule, which land last mentioned is included edged with green outlines on the plan heretofore annexed and on plan lodged in the Land Transfer Office, Wellington, in the Land District of Wellington, in support of Application No. 3073, and thereon edged green.

SECOND SCHEDULE.

RECREATION-GROUND.

ALL that piece of land area being portion of the land described in the First Schedule, bounded by a line commencing at a point distant 1095 links on a bearing of $162^{\circ} 51'$ from Trig. 13, Watt's Peninsula, and proceeding thence in a north-east direction on a bearing of $6^{\circ} 29'$ a distance of 141.4 links; thence north-east along a fence on a bearing of $30^{\circ} 50'$ a distance of 722.6 links; thence north-east along fence on a bearing of 34° a distance of 1302.9 links; thence north-east along fence on a bearing of $41^{\circ} 54'$ a distance of 164.4 links; thence north-east along fence on bearing of $49^{\circ} 18'$ a distance of 295.1 links; thence north-east on a bearing of $30^{\circ} 35'$ a distance of 2543.6 links; thence along a fence north-east on a bearing of $31^{\circ} 10'$ a distance of 2319.5 links; thence south-east along a fence on a bearing of $112^{\circ} 25'$ a distance of 1283.7 links; thence south-west along a fence on a bearing of $180^{\circ} 48' 30''$ a distance of 1129.4 links; thence south-west along a fence on a bearing of $198^{\circ} 13'$ a distance of 3656.5 links to the northern side of the Worser Bay Road; thence north-west along the said road on a bearing of $283^{\circ} 37'$ a distance of 192.8 links; thence along said road in a south-west direction on bearings of $232^{\circ} 14'$, $203^{\circ} 9' 30''$, and $204^{\circ} 45'$ distances respectively of 782.2, 2113.9, and 43.6 links; thence south-west across on a bearing of $184^{\circ} 31' 30''$ a distance of 117.6 links; thence southerly along Seatoun Road on bearings of $119^{\circ} 10'$, $168^{\circ} 10'$, $186^{\circ} 58'$, $174^{\circ} 40'$, $162^{\circ} 7'$, and $115^{\circ} 54'$ distances respectively of 235.3, 1335.5, 1729.1, 328.3, 219.8, and 302.1 links; thence south-west on a bearing of $214^{\circ} 5'$ a distance of 2503.2 links to the north-east corner of Mr. H. D. Crawford's property; thence in a westerly direction along the northern boundary of Mr. H. D. Crawford's land on a bearing of $269^{\circ} 28'$, 305° , $17^{\circ} 52'$, and $295^{\circ} 1' 20''$ distances respectively of 1167.7, 1904.100, and 996.7 links; thence north-east on a bearing of $17^{\circ} 17'$ a distance of 2299 links; thence north-east on a bearing of $74^{\circ} 14'$ a distance of 949.8 links; thence north-east on a bearing of $8^{\circ} 31'$ a distance of 2417.9 links; and thence north-east on a bearing of $9^{\circ} 38'$ a distance of 722.7 links to the point of commencement: the whole containing by admeasurement, exclusive of roads, 382 acres 2 roods 34 perches, more or less.

THIRD SCHEDULE.

PARTS TO BE LEASED.

So much of the land described in the *First* Schedule as is not comprised in the *Second* Schedule.

FOURTH SCHEDULE.

CONDITIONS OF LEASING THE RECREATION-GROUND.

1. EVERY lease under section 6 of this Act shall be granted only for purposes of sports, pastimes, or athletics, or other like purposes.
2. The rent shall be fixed by the Council.
3. The terms of any lease granted under the said section shall not exceed fourteen years, and shall take effect in possession or within six months from its date, and may contain provisions for compensating the lessee, his executors, administrators, or assigns for any improvements effected by him or them, such compensation to be paid either by the Corporation or the incoming tenant, as shall be specified in the lease.
4. Any lease may empower the lessee ~~to exclude any person or persons from entering or remaining upon the leased land~~ to charge for admission (not exceeding 1s. for each person) on not more than fifteen days in any one year.
5. The lease may contain any covenants, powers, and provisions not inconsistent with this Act.
6. No lease under section 6 of this Act shall be valid unless approved of by the Governor in Council, *provided that at least 100 acres of the said land shall at all times be free from any lease and open to the public.*
7. The Corporation may create tenancies for not exceeding twelve months of any parts of the land comprised in the *Second* Schedule for grazing purposes, as to which tenancies clauses 1, 3, 4, and 6 of this Schedule shall not apply.

FIFTH SCHEDULE.

CONDITION OF LEASING LANDS COMPRISED IN THE THIRD SCHEDULE.

1. EVERY lease granted under section 7 of this Act shall be in or to the effect of the form of lease set out in the Schedule to "The Wellington City Leasing Act, 1900."
2. The first term under every such lease shall be twenty-one years, and every subsequent term thereunder shall be seven years.
3. The rent to be inserted in every such lease shall be fixed by such lease being submitted by the Corporation for competition at public auction or by public tender (of which public notice shall be given by advertisement inserted in a newspaper circulating in the city at least once not less than thirty days before the day appointed for holding the auction or limited for receiving the tenders, and twice between the first notice and such last-mentioned day), and in connection with every such competition the Corporation may fix a reserve rent.
4. A lease that shall have been submitted to competition as aforesaid, subject to a reserve rent, and not disposed of, may at any time within twelve months from the said appointed or limited day be disposed of by private contract, at a rent not less than the said reserved rent.
5. Every lease under section 7 of this Act shall be granted so as to take effect in possession or within six months from its date.