

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE, 8TH JULY, 1898.]

Mr. J. Hutcheson.

WELLINGTON HARBOUR BOARD RECLAMATION AND EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to vest Certain Land in the Wellington Harbour Board, and to authorise the Board to reclaim such Land from the Sea, and to borrow a Sum of One Hundred and Fifty Thousand Pounds, and also to provide Powers for effecting certain Exchanges of Land for Street Purposes. Title.

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WHEREAS certain areas of land are required for the purpose of widening a portion of the extension of the Wellington-Napier Railway from Thorndon to Te Aro, and for providing a site for Customs House, or other works and premises appertaining to the Government of Her Majesty: And whereas the parcel of land described in the *Second* Schedule to this Act was, by Proclamation, dated the twenty-fourth day of March, one thousand eight hundred and ninety-four, taken for the purposes of the said extension, but is not so now required: And whereas it is expedient that the land described in the *First*, *Second*, and *Third* Schedules to this Act should be vested in the Wellington Harbour Board, and that power should be given to the Board to reclaim from the sea the land described in the said *First*, *Second*, and *Third* Schedules: And whereas it is desirable for the improvement of Waterloo and Customhouse Quays that certain exchanges of land should be effected: And whereas the Board is desirous of having power to borrow certain sums of money for the purposes hereinafter mentioned, and it is expedient that such power should be given: Preamble.

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BE IT THEREFORE 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 "The Wellington Harbour Board Reclamation and Empowering Act, 1898." Short Title.

2 *Wellington Harbour Board Reclamation and Empowering.*

Interpretation.

2. In the construction of this Act, if not inconsistent with the context,—

“The Board” means the Wellington Harbour Board, as constituted under “The Wellington Harbour Board Act, 1879”:

“The Act” means and includes “The Harbours Act, 1878,” and its amendments:

“The Corporation” means the Mayor, Councillors, and Citizens of Wellington, incorporated under “The Municipal Corporations Act, 1886”:

“The Schedules” herein referred to are the Schedules to this Act.

Special Act.

3. This Act shall be deemed to be a special Act within the meaning of the Act.

Power to reclaim.

4. The Board may, subject to the provisions of the Act, from time to time fill up and reclaim from the sea the land described in the *First*, *Second*, and *Third* Schedules, and may for that purpose, if it thinks fit, enter into any contract or contracts with any person or persons for the execution of all or any works which may be necessary or expedient in or about the filling up and reclamation of such land as aforesaid, upon such terms and conditions as may seem to it proper and reasonable.

Vesting lands in Board.

5. The land described in the *Second* and *Third* Schedules, excepting thereout the land described in the *Fifth* Schedule, shall vest in the Board for the purposes for which the said Board is constituted.

Vesting lands conditionally in Board.

6. The land described in the *First* and *Fifth* Schedules are hereby vested in the Board for the purposes for which the Board is constituted, subject to the following terms and conditions:—

- (1.) Upon payment by Her Majesty the Queen to the Board of the actual cost of reclamation of the land described in the *Fourth* Schedule, including the cost of the construction of all sewers and drains, and of the retaining wall on the seaward boundary of the land described in the *Fourth* Schedule, the land described in the *Fifth* Schedule shall revert in Her Majesty for the purpose of providing a site for a Customs House or other works and premises appertaining to the Government of Her Majesty; and Her Majesty the Queen shall at all times have the right of ingress and egress to the land described in the *Fifth* Schedule over so much of the land described in the *Fourth* Schedule as lie between the land described in the *Fifth* Schedule and Waterloo Quay; and the Board shall neither erect, nor suffer to be erected, upon the land described in the *Fourth* Schedule any buildings above the ground-level other than such gates, fences, and barriers as may be approved by the Minister of Marine:

Provided always that if the said payment is not made to the Board within twelve months after the completion of the reclamation of the land described in the *Fourth* Schedule has been notified in writing to the Minister of Marine, such land shall cease to be subject to the above terms and conditions.

(2.) Upon payment by Her Majesty the Queen to the Board of the actual cost of reclamation of the land described in the *First* Schedule, including the cost of the construction of all sewers and drains, the said land shall revert in Her Majesty for ~~the railway purposes: of widening the extension of the Wellington Napier Railway from Thorndon to Te Aro:~~

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Provided always that if the said payment is not made to the Board within twelve months after the completion of the reclamation of the land described in the *First* Schedule *has been notified in writing to the Minister for Railways*, such land shall cease to be subject to the above terms and conditions.

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7. The Board may and ~~will~~ shall construct a public thoroughfare sixty-six feet in width to the southward of and contiguous to the land described in the *Fifth* Schedule, and shall keep the same in good repair and condition. Construction of road.

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8. The Board shall complete the reclamation from the sea of so much of the land described in the *Third* Schedule as lies between the northern boundary thereof and the southern boundary of the land described in the *Fourth* Schedule within three years from the date of the ~~passing~~ coming into operation of this Act, and of the balance of the said land within six years from the said date: Provided, however, that with the consent of the Governor in Council, such reclamation need not extend to the full seaward limits of the *Third* Schedule. Time of completion.

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9. All buildings erected upon any of the said land, whether by Her Majesty the Queen or any person or body corporate, shall be constructed in conformity with the building and sanitary by-laws in force for the time being in the City of Wellington. Buildings subject to by-laws.

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10. It shall be lawful for the Board and the Board is hereby empowered to acquire for street purposes the land described in the *Sixth* Schedule, and to give in exchange therefor the land described in the *Seventh* Schedule, and such land, when so acquired, shall become part of Waterloo Quay, and the Board shall have the same powers and authorities thereover, and be subject to the same duties thereon, as are vested in or imposed upon the Board in respect of Waterloo Quay by "The Wellington Harbour Board and Corporation Land Act, 1880." Rectification of street-line, Waterloo Quay.

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11. It shall be lawful for the Board and the Board is hereby empowered to acquire for street purposes the land described in the *Ninth* Schedule, and to give in exchange therefor the land described in the *Eighth* Schedule, and such land, when so acquired, shall vest in the Corporation as and for a public street. Rectification of street-line, Customhouse Quay.

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12. The Board may, subject to the provisions of the Act, borrow ~~and take up at interest~~ any sum or sums of money not exceeding in the whole one hundred and fifty thousand pounds for the several purposes specified in the *Tenth* Schedule: Provided, however, that no money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than four pounds per centum per annum. Borrowing-powers.

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SCHEDULES.

FIRST SCHEDULE.

ALL that ~~portion of land area~~ covered by water, and forming part of the bed of the Harbour of Wellington, containing an area of 32·8 perches, ~~coloured pink on a more or less. Bounded by a line, commencing at a point marked "C" on the said plan at the northernmost point of the land taken for railway purposes by Proclamation in the New Zealand Gazette No. 24, of the 29th March, 1894; thence (marked "C" in the plan hereinafter referred to), and proceeding south-west by along the eastern boundary of the said proclaimed land, 840·2 links, to the point "P" on the plan hereinafter referred to; thence south-east by along the boundary of the said proclaimed land, 37 links, to the point "Q" on the plan hereinafter referred to; thence north-easterly 693·95 links and 10·53 links respectively, on a bearing of 23° 20' to the point marked "X" on the plan hereinafter referred to; thence 275·27 links, on a bearing of 16° 52', to the point "A," on the plan hereinafter referred to, on the eastern boundary of Waterloo Quay; thence bounded south-west by along the said boundary of Waterloo Quay, 112·05 links, on a bearing of 215° 1' 30", to the starting point at "C": be said area, bearings, and distances all the aforesaid linkages a little more or less, as the same is delineated and coloured pink on the plan deposited at the office of the Marine Department, and marked "M.D. 2,192."~~

SECOND SCHEDULE.

ALL that area ~~coloured pink on the said plan, and~~ forming part of the land taken by Proclamation in the *New Zealand Gazette* No. 24, of the 29th March, 1894, containing an area of one hundredth of a perch: *Bounded by a line commencing at a point on the southern boundary of the said land marked "S" on the plan hereinafter referred to, and proceeding south-east; thence 3·4 links, on a bearing of 113° 51', to the point marked "R" on the plan hereinafter referred to; thence north-west 5 links, on a bearing of 340° 30', to the point marked "Q" on the plan hereinafter referred to; and thence south-west 4 links, on a bearing of 203° 20', to the starting-point at "S": be all the said area, bearings, and distances a little more or less, as the same is delineated on the plan deposited at the office of the Marine Department, and marked "M.D. 2,192, and thereon coloured pink.*

THIRD SCHEDULE.

ALL that ~~portion of land area~~ covered by water, forming part of the bed of the Harbour of Wellington, lying partly to the east of Waterloo Quay and partly to the east of the land ~~hereinbefore~~ described in the First Schedule ~~on the aforesaid plan, and~~ containing an area of 2 acres 1 rood 23·9 perches, more or less, bounded ~~as follows by a line commencing at the northernmost corner at the point marked "I," on plan "M.D. 2192," such point being situated at a distance of 286·05 links on a bearing of 166° 34' from the Standard Block in Waterloo Quay, near the root of the Railway Wharf, and proceeding thence 50·5 links, on a bearing of 251° 55', to the point marked "II.," on plan "M.D. 2192"; thence 333·75 links, on a bearing of 215° 20', to the point marked "VIII.," on plan "M.D. 2192"; thence 146·8 links, on a bearing of 305° 42', to the point marked "IX.," on plan "M.D. 2192" (the preceding boundaries being contiguous to those of the lands reclaimed under the powers and described in the First Schedule of "The Wellington Harbour Board and Corporation Land Act, 1880," as coloured brown shown on a plan marked P.W.D. 7942, and in the Second Schedule to "The Wellington Harbour Board Loans Consolidation and Empowering Act, 1884") as shown in a plan marked "P.W.D. 11519"; thence by along the eastern boundary of Waterloo Quay, 821·8 links, on a bearing of 215° 1' 30", to the point marked "A" on plan "M.D. 2192," mentioned in the First Schedule hereto; thence 275·27 links, on a bearing of 196° 52', to the point "X" on plan "M.D. 2192"; thence 704·48 links, on a bearing of 203° 20', to the point marked "Q" on plan "M.D. 2192"; thence 5 links, on a bearing of 160° 30', to the point marked "R" on plan "M.D. 2192"; thence 3·4 links, on a bearing of 293° 51', to the point marked "S" in plan "M.D. 2192"; thence 19·4 links, on a bearing of 203° 20', to the point marked "T" on plan "M.D. 2192," on the northern boundary of the land referred to in the Third Schedule to "The Wellington Corporation and Harbour Board Streets~~

and Lands Act, 1892;" thence bounded by along the northern boundary of the said land, 15·27 links, on a bearing of $112^{\circ} 44'$, to the point marked "U" on plan "M.D. 2192"; thence along the eastern boundary of the said land 84·4 links, ~~by the eastern boundary of the said land, bearing $196^{\circ} 26' 17''$~~ , to the point marked "V" on plan "M.D. 2192"; thence by continuing along the eastern boundary of the said land, 104·27 links, ~~on a bearing of $169^{\circ} 34' 37''$~~ , to the point "W" on plan "M.D. 2192"; thence northerly 913·5 links, on a bearing of $23^{\circ} 20'$, to the point "M" on plan "M.D. 2192"; thence 1378·17 links, on a bearing of $35^{\circ} 1' 30''$, to the point "N" on plan "M.D. 2192"; thence 43·58 links, on a bearing of $71^{\circ} 55'$, to the point marked "O" on plan "M.D. 2192"; and thence 15·26 links, on a bearing of $348^{\circ} 57'$, to the starting-point at "I": be the said area, bearings, and distances a little more or less, as the same is delineated on the plan deposited in the office of the Marine Department, and marked "M.D. 2192."

FOURTH SCHEDULE

ALL that area, being part of the land described in the Third Schedule hereto, covered by water, lying to the eastward of and contiguous to Waterloo Quay, and forming part of the bed of the Harbour of Wellington, coloured yellow and partly edged blue on the said plan, marked "M.D. 2192," deposited in the office of the Marine Department, containing an area of 1 rood 30·8 perches, more or less, bounded by a line as follows: commencing at the point "D" on the eastern boundary of Waterloo Quay, the point "D" being distant 50 links, on a bearing of $35^{\circ} 1' 30''$, from the point "A" mentioned in the First and Third Schedules hereof to; and proceeding thence 164·31 links, on a bearing of $125^{\circ} 1' 30''$, to the point "G," situated on the seaward boundary of the land described in the Third Schedule hereof to; thence 269·32 links along such boundary to the point "F"; thence 164·31 links, on a bearing of $305^{\circ} 1' 30''$, to the point "E," situated on the eastward boundary of Waterloo Quay; thence along such boundary, 269·32 links, to the aforesaid point of departure "D": be all the aforesaid linkages more or less.

FIFTH SCHEDULE.

ALL that portion of land area contained in the Fourth Schedule hereof to, forming a parallelogram marked "H—J—K—L" 120 ft. in length by 63 ft. in width, coloured yellow and edged yellow, and shown on plan marked "M.D. 2192," deposited in the office of the Marine Department, containing an area of 27·8 perches, more or less, and situated so that the side "J—K" produced will intersect the face-line of Waterloo Quay at a distance of 100 links in a north-east direction from the point "A," as described in the First Schedule hereto, and so that the side "L—K" will be at a parallel distance of 23·4 links from the face-line of the said Waterloo Quay.

SIXTH SCHEDULE.

ALL that triangular portion of land, situated at the corner of Ballance Street, within the City of Wellington, being part of Section 2, Block I., Thorndon Reclamation, and coloured red and edged red on the said plan, marked "M.D. 2192," deposited in the office of the Marine Department, containing an area of 0·16 perch, more or less, bounded by a line as follows: commencing at the north-east corner at the intersection of Ballance Street and Waterloo Quay, and proceeding bounded thence south-west along by Waterloo Quay, 37·9 links; thence north-east, 38·29 links, to Ballance Street; thence south-east along Ballance Street, 5·44 links, to the starting point: be the aforesaid said area, bearings, and distances a little more or less.

SEVENTH SCHEDULE.

ALL that triangular portion of land, part of Waterloo Quay, within the City of Wellington, adjoining Section 2, Block I., of the Thorndon Reclamation, and coloured red and edged red on the said plan, marked "M.D. 2192," deposited in the office of the Marine Department, containing an area of 0·16 perches, more or less, bounded by a line: commencing at the southernmost point of the land described in the Sixth Schedule hereto, and proceeding bounded in a south-westerly direction 38·29 links; thence north-west, 5·44 links, to the corner of Section 2; thence north-east along the boundary between Section 2 and Waterloo Quay, 37·9 links, to the starting point: be the aforesaid area, bearings, and distances a little more or less.

EIGHTH SCHEDULE.

ALL that portion of Waterloo Quay, in the City of Wellington, joining and lying to the eastward of Section 1, Block I., Thorndon Reclamation, as coloured green and edged green on the said plan, marked "M.D. 2192," deposited in the office of the Marine Department, and containing an area of 1.32 perches, more or less, bounded by a line as follows: commencing at a point on the boundary of Waterloo Quay at the south-east corner of Section 2, Block I., of the Thorndon Reclamation; and proceeding thence south-east 5.44 links; thence south-west, 736.58 links, to a point on the northern boundary of Section 151 of the Reclaimed Land; thence 16.34 links along the northern boundary of the said Section 151 to the south-east corner of Section 1, Block I., of the Thorndon Reclamation; thence north-east along the boundary between the said Section 1 and Waterloo Quay, 75.8 links, to the starting-point: be the aforesaid area, bearings, and distances a little more or less.

NINTH SCHEDULE.

ALL that portion of land within the City of Wellington, coloured green and edged green on the said plan, marked "M.D. 2192," deposited in the office of the Marine Department, containing an area of 1.9 perches, more or less, and being part of Sections 151 and 152 of the Reclaimed Land, bounded by a line as follows: commencing at the easternmost corner of Section 151: and proceeding thence south-west, 128.8 links, along the boundary between Customhouse Quay and Sections 151 and 152, to a point at the intersection of Customhouse Quay and Waring Taylor Street; thence north-east 130.12 links, to the southernmost corner of the land described in the Eighth Schedule hereto, and thence south-east, 18.50 links, to the starting-point: be the aforesaid area, bearings, and distances a little more or less.

TENTH SCHEDULE.

To construct, execute, and perform the following works and powers within the Harbour of Wellington, or such of them as the Board may in its discretion think fit, with such modification or amendments as to the Board may seem meet:—

- (1.) The reclamation of any lands authorised to be reclaimed by this or any other Act of Parliament.
- (2.) Dredging, and the purchase, hire, and maintenance of dredging appliances, and other expenditure connected therewith.
- (3.) The construction of quay-walls, pitched slopes, extension of sewers, and works of a like nature.
- (4.) The extension of existing wharves and stores, and the construction and erection of new wharves, jetties, sheds, and stores, and of cranes, and of other machinery, plant, and appliances in connection therewith.
- (5.) The construction and formation of streets.
- (6.) The purchase of any lands to give effect to the provisions of this or any other Act of Parliament.
- (7.) Other harbour-works.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1898.