

Mr. Wilford.

HUTT PARK.

[LOCAL BILL.]

ANALYSIS.

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| Title. | |
| 1. Short Title. | 4. Application of rents and profits. |
| 2. Certain lands vested in a joint committee of Petone and Lower Hutt Borough Councils. | 5. Close of existing trust. |
| 3. Power to let land. | 6. Repeal. |
| | Schedule. |

A BILL INTITULED

AN ACT to provide for the Vesting and Control of certain Land at Lower Hutt. Title.

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 Hutt Park Act, 1907.

2. (1.) From and after the ~~passing of this Act~~ *first day of January, nineteen hundred and eight*, the land described in the *First Schedule* hereto, and now vested in trustees appointed under the Hutt Public Park and Racecourse Act, 1866 (~~which land is herein after referred to as the said land~~), is hereby vested in trust for recreation purposes in a joint standing committee appointed from time to time under the provisions of Part VII of the Municipal Corporations Act, 1900, by the Councils of the Boroughs of Petone and Lower Hutt.

Short Title.
Certain lands vested in a joint committee of Petone and Lower Hutt Borough Councils.

New subclause.

(1A.) There is also vested in such joint standing committee, as from the first day of January, nineteen hundred and eight, all the right, title, and interest of the said trustees to and in the land described in the *Second Schedule* hereto, and held by the said trustees under a lease dated the seventh day of April, eighteen hundred and ninety-eight, and made between Christopher Heath and Jasper Kenrick Peck of the one part and the said trustees of the other part.

(2.) Such joint committee shall be a body corporate under the name of the Hutt Park Committee, and shall have and may exercise in relation to the said land all the powers and duties conferred by *Part VII* of the said Act on Councils, except the power to borrow money or make a rate, *and in addition may make by-laws and execute deeds and contracts in the manner prescribed by the principal Act.*

Struck out.

Power to let land.

3. The joint committee may from time to time let, under the provisions of Part XXI of the Municipal Corporations Act, 1900, such portions of the said land as it considers are not immediately required for recreation purposes.

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New clauses.

Powers vested in joint committee.

3A. Subject to the provisions of this Act, the joint committee shall have and may exercise in respect of the land described in the *First* and *Second* Schedules hereto (hereinafter referred to as the said land) all the powers vested in local bodies in respect of reserves for recreation purposes.

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Land to vest in joint committee.

3B. The said land shall, as from the first day of January, nineteen hundred and eight, vest in and be held by the joint committee, subject to the tenancies, easements, and rights to which the land is on that date subject.

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Application of rents and profits.

4. The rents and profits derived under this Act from the said lands shall, after payment of all expenses of administration, be applied in improving the said land in such manner as the joint committee determines.

New clause.

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Power to occupy land for defence purposes.

4A. (1.) Notwithstanding anything in this Act or in any lease granted under the authority of this Act, the Minister of Defence may at any time, on giving to the chairman for the time being of the Hutt Park Committee not less than fourteen days' notice in writing, take possession of such part of the said land as he thinks fit for defence purposes, and occupy the same for a period or periods not exceeding twenty-eight days in any one year.

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(2.) Compensation shall be payable by the Crown for all damage done during any such period of occupation to the fences or other erections or to the stock on the land so occupied.

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Close of existing trust.

5. (1.) Within thirty days after receiving from the joint committee a request so to do, the trustees in office under the Hutt Public Park and Racecourse Act, 1866, shall furnish under the hand of their chairman to the joint committee a balance-sheet showing the financial position of the trust *as on the first day of January, nineteen hundred and eight*, and, *after paying and discharging all debts and other liabilities incurred by the trustees*, shall pay over to the joint committee or to such person as it appoints all moneys (if any) then remaining in the hands of the trustees after payment of all liabilities.

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Struck out.

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(2.) On compliance with the provisions of this section the trustees shall cease to hold office, and shall be freed from all liability in respect of their trust.

New subclause.

(2.) As from the first day of January, nineteen hundred and eight, the trustees shall cease to hold office, and shall thenceforth be released and discharged from all liabilities of the trustees in or about the execution of the trusts upon which the said land was held by them.

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6. The Wellington Provincial Ordinance known by the Short Title of the Hutt Public Park and Racecourse Act, 1866, is hereby repealed *as from the first day of January, nineteen hundred and eight.*

Repeal.

SCHEDULES.

Schedule.

Struck out.

ALL that parcel of land, containing by admeasurement 89 acres, more or less, being part of Section 12 on plan of Hutt District. Bounded towards the north by other part of said section, 2450 links; towards the north-east by Section 13, 2008 links; towards the east and south-east by Section 15, 530 links, 800 links, 700 links, and 970 links; towards the south-west and south by a Native reserve 1200 links, 530 links, and 418 links; and towards the west by a public road and the Waiwetu River, 2540 links: excepting always the piece of land containing 4 acres, more or less, known as Frethey's Island, and granted to Thomas Frethey.

New.

FIRST SCHEDULE.

FIRST, all that parcel of land situate in the Hutt District, in the Provincial District of Wellington, containing by admeasurement 89 acres, more or less, being part of the section numbered 12 on the plan of the said Hutt District: bounded towards the north by other part of the said section, 2450 links; towards the north-east by section numbered 13, 2008 links; towards the east and south-east by section numbered 15, 530 links, 800 links, 700 links, and 970 links; towards the south-west and south by a Native reserve, 1200 links, 530 links, and 418 links; and towards the west by a public road and the Waiwetu River, 2450 links.

Secondly, all that parcel of land, containing by admeasurement 7 acres, more or less, being part of section numbered 12 on the plan of the Lower Hutt District aforesaid, commencing at the south-western corner of the said section, and bounded thence towards the west by section numbered 11 on the plan of the said district, 225 links; thence towards the north-west by other part of the said section numbered 12, being a line at a bearing $61^{\circ} 3'$, 994 links; thence towards the north-east by the Awamotua River, being an irregular line; and thence towards the south by the Racecourse Reserve, being a line running at right angles to the western boundary of the said section numbered 12, 1955 links, to the commencing-point.

Thirdly, all that other parcel of land containing by admeasurement 4 acres, more or less, and being part of the said section numbered 12, and commonly known as Frethey's Island, bounded on all sides by water.

Fourthly, all that parcel of land, being part of section numbered 12 on the plan of the Hutt District, containing 9 acres 14 perches: bounded commencing at the south-eastern corner of the said section numbered 12, along the southern boundary thereof to a creek or stream known as the Te Awa Motu; thence, on the west, along the eastern bank of the said stream to the present outside fence of the racing-track, and proceeding along such present fence to the eastern boundary of section numbered 12; thence by the said eastern boundary to the point of commencement.

SECOND SCHEDULE.

ALL that parcel of land, being part of section numbered 13 on the plan of the Hutt District, comprised in a lease dated the 7th April, 1898, made between Christopher Heath and Jasper Kenrick Peck of the one part, and the Hutt Park and Racecourse Board of the other part, registered number 75276, in so far as the land therein described is not included in the land fourthly hereinbefore contained.