

Hon. Mr. Myers.

WAIATARUA LAKE RESERVE AND PUBLIC BODIES EMPOWERING.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to provide for the Creation of the Waiatarua Lake Reserve, and to make certain Boundary and Financial Adjustments in connection therewith, and to authorize the Exchange of certain Lands by the Auckland City Council and the Auckland Hospital and Charitable Aid Board.

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 Waiatarua Lake Reserve and Public Bodies Empowering Act, 1917.

2. The whole of Waiatarua Lake situated in the West Tamaki Road District, near the City of Auckland, and the bed of the said lake, as shown edged blue on a plan deposited in the Survey Office, at Auckland, as Number 19632, shall upon the coming into operation of this Act vest in the body corporate called the Mayor, Councillors, and Citizens of the City of Auckland (hereinafter called the Council) for an estate in fee-simple for the purpose and with the powers herein set forth.

3. It shall be lawful for St. John's College Trust Board, without further authority or sanction than this Act, but subject to any lease thereof or with the consent of the lessees, to convey and transfer to the Council all that piece or parcel of land described in the *First* Schedule hereto, with or without consideration, and upon such terms (subject to the provisions hereof) as may be agreed upon between the Council and St. John's College Trust Board; and any such conveyance or transfer shall be free of gift or other stamp duty.

2 *Waiatarua Lake Reserve and Public Bodies Empowering.*

Certain land to be held as recreation-ground.

4. The whole of the lands mentioned in sections *two* and *three* hereof (hereinafter called the park) shall be held by the Council as and for a park or recreation-ground for the benefit of the inhabitants of the City and Suburbs of Auckland and the public generally, subject to the provisions of this Act and of section two hundred and ninety-nine of the Municipal Corporations Act, 1908, and its amendments. 5

Power to dedicate streets, &c.

5. The Council may by ordinary resolution set aside and dedicate as a public road or street any part or parts of the park, and in the same way may close any roads, road-lines, or road reserves lying within the boundaries of the park; and the fee-simple of any roads, road-lines, or reserves so closed shall vest in the Council for an estate in fee-simple subject to the provisions of this Act. 10

Certificate of title to issue.

6. The District Land Registrar, at Auckland, shall upon application to him for that purpose, and upon the same becoming vested in the Council, issue to the Council a certificate of title for the park free from all encumbrances, but subject to the provisions hereof. 15

Park to become part of Auckland City.

7. The whole of the park shall upon the coming into operation of this Act cease to be part of the Tamaki West Road District, and shall be and become part of the City of Auckland

Park not to be subject to drainage rate.

8. From and after the coming into operation of this Act the park shall cease to be and shall not become subject to any rates that are now or may hereafter be levied by the Waiatarua Drainage Board or any other local authority having jurisdiction thereover other than and except the Council: 20

Provided that the park shall be and remain subject to the existing special rate made and levied by the Waiatarua Drainage Board on the twenty-second day of March, nineteen hundred and seventeen, and pledged as security for a special loan of five thousand pounds raised by the said Board, until the said loan shall be repaid, but the total amount payable in respect of the park in any year shall not exceed one hundred pounds. 25 30

Provision as to special rate.

9. It shall be lawful for the Ellerslie Town Board, the Mount Wellington Road Board, and the Tamaki West Road Board to pay out of funds administered by them respectively to the Council such annual or other sums of money as such respective Boards may from time to time respectively agree to pay for or towards providing the amount of the special rate payable from time to time in respect of the park as herein provided, and any such agreement may be duly enforced by the Council. 35

Provision as to drainage.

10. It shall be lawful for the Council to pay and contribute to the Waiatarua Drainage Board such sum or sums of money as the Council may think fit for the purpose of enabling the said Waiatarua Drainage Board to carry out its drainage operations, and in particular to enable it to drain the park sufficiently for the purposes of the Council. 40 45

Auckland Hospital Board may exchange lands.

11. Notwithstanding the terms on which the same are vested in it, the Auckland Hospital and Charitable Aid Board (hereinafter called the Board) may and it is hereby empowered to convey and transfer the lands described in the *Second* Schedule hereto to the Council in exchange for the lands described in the *Third* Schedule hereto, and the Council may and it is hereby empowered to convey and transfer the said last-mentioned lands to the Board in exchange for the lands described in the said *Second* Schedule. 50

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that piece of land, situated in the Provincial District of Auckland, containing by admeasurement 133 acres 1 rood 20 perches, more or less, being portion of Section 12A, Suburbs of Auckland, and other portion of said Section 12 originally known as Allotments 26A, 47, and 46 of Small Farms, Tamaki West, and portion of Allotments 45 and 37 in the Parish of Waitemata, originally known as Allotments 45 and 37, Small Farms, Tamaki West: Bounded—commencing at a point in the eastern boundary-line of Lot 34 of said Section 12, distant in a northerly direction 3 chains from the south-eastern corner of said Lot 34; towards the west by said Lot 34; towards the north-west generally by other portion of said Lot 12A to a public road; thence by portion of the said public road and by other portion of said Lot 45; towards the north by other portion of said Allotment 45 and by portion of Allotment 37; towards the east generally by other portion of said Allotments 45, 46, and 47 to a public road; and thence towards the south-east and south by portion of the said public road and by other portion of said Allotments 26A and 12A to the point of commencement: as the same is shown edged red on a plan deposited in the Survey Office, at Auckland, as No. 16932.

SECOND SCHEDULE.

FIRSTLY, all that piece of land, situated in the Provincial District of Auckland, containing by admeasurement 1 rood 17.53 perches, more or less, being the south-eastern corner of Allotment 98 of Section 18 of the City of Auckland: Bounded—Commencing at the south-eastern corner of said Allotment 98, towards the east by Government railway property; towards the north-west by other portion of said Allotment 98; and towards the south-west and south by the Auckland Domain to the point of commencement: as the same is shown coloured blue and marked "A" on a plan deposited in the Survey Office, at Auckland, as No. 19633.

Secondly, all that piece of land, situated in the Provincial District of Auckland, containing by admeasurement 1 rood 27.03 perches, more or less, being the south-western portion of Allotment 99 of Section 18 of the City of Auckland: Bounded—commencing at the south-western corner of said Allotment 99, towards the north-west by Allotment 96 (known as Donaghy's Rope-walk); towards the north-east by other portion of said Allotment 99; towards the south-east generally by portion of Allotment 98 (Auckland Domain); and towards the south-west by the Auckland Domain to the point of commencement: as the same is shown coloured blue and marked "B" on said plan, No. 19633.

THIRD SCHEDULE.

FIRSTLY, all that piece or parcel of land, situated in the Provincial District of Auckland, containing by admeasurement 2 roods 39.96 perches, more or less, being portion of Allotment 98, of Section 18, Suburbs of Auckland (Auckland Domain), and portion of the Auckland Domain: Bounded—commencing at the most westerly point of the land firstly described in the First Schedule hereto marked "A"; towards the north-east generally by other portion of said Allotment 98; towards the north generally by portion of Allotment 99 of Section 8 of the City of Auckland; and towards the south and south-east by the Auckland Domain to the point of commencement: as the same is shown coloured red and marked "C" on said plan, No. 19633.

Secondly, all that piece or parcel of land, situated in the Provincial District of Auckland, containing by admeasurement 4.6 perches, more or less, being portion of Allotment 98 of Section 18, City of Auckland (Auckland Domain): Bounded—commencing at the most easterly point of the land comprised and described in the First Schedule hereto, marked "B"; towards the north generally by Allotment 99 of said Section 18; and towards the east and south-west by other portion of said Allotment 98 (Auckland Domain), to the point of commencement: as the same is shown coloured red and marked "D" on said plan, No. 19633.