

New Zealand.



ANALYSIS.

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1922, No. 12.—*Local and Personal.*

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| Title | AN ACT to facilitate the Management of the Reserves of the Borough of Palmerston North. [16th October, 1922.] |
| Preamble. | WHEREAS by the Palmerston North Reserves Act, 1890, and the Palmerston North Reserves Act Amendment Act, 1901, certain provisions were made as to the leasing of the reserves and other lands of the Borough of Palmerston North, and as to the management thereof and disposal of the revenue derived therefrom: And whereas it is desirable to repeal the said Acts and to make other provisions in lieu thereof: |
| | 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 Palmerston North Reserves Act, 1922. |
| Interpretation | 2. In this Act, if not inconsistent with the context,—
“The reserves” means and includes—
(a.) All the land described in the First Schedule hereto, excepting thereout the land described in the Second Schedule hereto:
(b.) All the land and reserves now vested in the Corporation of the Borough of Palmerston North for purposes of recreation, public gardens, parks, and domains, whether within or without the Borough of Palmerston North:
(c.) All land to be hereafter vested in or acquired by the said Corporation for purposes of recreation. |

3. The Palmerston North Reserves Act, 1890, and the Palmerston North Reserves Amendment Act, 1901, and section fifty-five of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1919, are hereby repealed; but such repeals shall not affect any contract entered into, any rights acquired, or liabilities incurred thereunder. Repeal.

4. Notwithstanding anything contained in the Wellington Reserves Act 1876 Amendment Act, 1877, the Palmerston North Borough Council (hereinafter called the Council) may from time to time lease, for any term not exceeding twenty-one years, the whole or any portion of the reserves for such rent or rents and subject to such covenants, conditions, and agreements (but without compensation or right of renewal) in every respect as the Council shall think fit; and the power conferred by this section may be exercised by the Council, in cases only where the annual letting-value of the land is less than twenty-five pounds, by ordinary resolution notwithstanding anything contained in section one hundred and sixty-three of the Municipal Corporations Act, 1920. Leasing by resolution.

5. The land described in the Second Schedule hereto shall be held by the Corporation in trust for the inhabitants of the Borough of Palmerston North as an esplanade. Esplanade.

6. In addition to the powers of leasing conferred on the Council by section four hereof, the Council may from time to time lease the whole or any portion of the land described in the First Schedule hereto (except the land described in the Second Schedule hereto) in manner provided in Part XVIII of the Municipal Corporations Act, 1920, as though sections one hundred and fifty-seven and one hundred and sixty-one were omitted therefrom. Leasing, further power.

7. The Council may erect or authorize the erection by the lessee of any buildings on the reserves, and may lay out, form, and make streets through the same. Building on reserves and making streets.

8. The Council may, if it thinks fit, lease by private contract to any club, association, incorporated body, or to trustees on their behalf, any of the reserves or any part or parts for the *bona fide* purposes of playing any outdoor game, in such manner and for such term of years (not exceeding twenty-one) and on such conditions as the Council thinks fit; and may from time to time, by resolution, authorize the lessees to demand such fees or charges as may be fixed by the Council for admission to the demised land or any part thereof on such days during the said term as may be approved by the Council. Leasing for sports

9. The Council may from time to time raise such sums of money as it thinks fit for the purpose of roading, planting, fencing, erecting buildings on, and generally improving the reserves, or any of them, in the Borough of Palmerston North by way of special loan under and subject to the provisions of the Local Bodies' Loans Act, 1913; and may, for the purpose of securing the repayment of the loan and interest thereon, appropriate and pledge as such security a special rate made and levied for the purposes of such special loan on all the rateable property in the Borough of Palmerston North. Borrowing.

10. The Council may from time to time appropriate any part or parts of the land described in the First Schedule hereto, except Housing.

the land described in the Second Schedule hereto, and erect thereon for occupation by workers employed or resident in the Borough of Palmerston North any buildings suitable for workers' dwellings.

Letting Opera
House

11. In addition to the powers conferred by section three hundred and two of the Municipal Corporations Act, 1920, the Council may let by private contract the building known as the Municipal Opera House, situate on Section 856, Palmerston North, or any part thereof, to any person for the purposes of holding entertainments for a term not exceeding three years, subject to such conditions and upon such terms as the Council may think fit.

Expenditure of
revenue.

12. The rent and profits received from all or any of the reserves may be expended by the Council for any of the following purposes:—

- (a.) In payment of the sinking fund and interest on any loan raised under the power conferred by section nine hereof:
- (b.) In erecting buildings on, and in roading, planting, fencing, and generally improving, any of the reserves and the land described in the Second Schedule hereto, or in the improvement of any public domain of which the Council may be the Domain Board:
- (c.) In the purchase of land for reserves for purposes of recreation, parks, domains, and gardens.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

1. ALL that piece or parcel of land, containing by admeasurement $21\frac{1}{2}$ acres, more or less, being the whole of Suburban Sections 1010, 1012, 1014, 1016, and 1018 on the plan of the Township of Palmerston North, in the Manawatu District: bounded towards the north-west by Suburban Sections 1009, 1011, 1013, 1015, and 1017; towards the north-east by a public street, 850.5 links; towards the south-east by a public street, 2499.6 links; towards the south-west by parts of Rural Sections 372 and 371.

2. All that piece or parcel of land, containing by admeasurement $247\frac{3}{4}$ acres, more or less, being part of Rural Section 1536: bounded towards the north-west by a public street, 10599.1 links; towards the north-east by a public street, 4880 links; towards the south and south-east by the Manawatu River; and towards the south-west by Rural Sections 374, 373, and part of 372: excepting thereout the parcel of land containing 6 acres, being Lots 5, 6, and 7 and part of 11 on deposited plan No. 545 vested in the Governors of the Palmerston North High School by virtue of section 51 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1919; also excepting thereout the public street, being the continuation of Cook Street to the Manawatu River.

3. Also all that parcel of land, containing by admeasurement 29 acres, more or less, being part of said Section 1536, and being Lots 3, 4, 5, and part of Lot 6 on deposited plan No. 208: bounded towards the north-west by a public street, 2035.4 links; towards the east and north-east by Blocks 5 and 6, Hokowhitu Native Reserve, 2263.4 links and 31.8 links respectively; towards the south-east by a public street, 930.79 links; and towards the south-west by a public street, 1999.7 links.

4. Also all that piece or parcel of land, containing by admeasurement 51 acres and $35\frac{1}{2}$ perches, more or less, being portion of said Rural Section 1536, and being Lots 4 to 14 (inclusive) and 18 to 52 (inclusive) on deposited plan No. 2494, and also being part of said Rural Section 1536.

SECOND SCHEDULE.

ALL that piece or parcel of land, containing by admeasurement 39 acres, more or less, being portion of Rural Section 1536 on the plan of the Township of Palmerston North: bounded towards the west, commencing at a point on the north-eastern boundary of Rural Section 374, 651.5 links from the southern boundary of Rural Section 373, and proceeding in a north-easterly direction on a bearing of 32° , a distance of 727.7 links; thence on a bearing of $26^{\circ} 11'$, a distance of 959.7 links; thence on a bearing of $33^{\circ} 43'$, a distance of 742.3 links; thence on a bearing of $37^{\circ} 11'$, a distance of 518 links; thence on a bearing of $37^{\circ} 42'$, a distance of 552.3 links; thence on a bearing of $65^{\circ} 57'$, a distance of 1508.8 links; thence on a bearing of $57^{\circ} 39'$, a distance of 1000.8 links; thence on a bearing of 81° , a distance of 659.3 links; thence on a bearing of $39^{\circ} 20'$, a distance of 352.3 links; thence on a bearing of $329^{\circ} 43'$, a distance of 1224 links; thence on a bearing of $59^{\circ} 43'$, a distance of 190 links; thence on a bearing of $149^{\circ} 43'$, a distance of 1165 links; thence on a bearing of 100° , a distance of 1200 links; thence on a bearing of $115^{\circ} 15'$, a distance of 560 links; thence on a bearing of $84^{\circ} 50'$, a distance of 1100 links; thence on a bearing of $92^{\circ} 10'$, a distance of 480 links; thence on a bearing of $106^{\circ} 15'$, a distance of 270 links; thence on a bearing of $90^{\circ} 35'$, a distance of 900 links; thence on a bearing of $59^{\circ} 43'$, a distance of 200 links; thence towards the south-east by a public street to the Manawatu River; thence towards the south-east by the Manawatu River; and thence towards the south-west by Rural Section 374 aforesaid to the point of commencement.

And also in all that piece of land, containing 5 acres, more or less, being part of said Rural Section 1536: bounded towards the north by Lots 14 and 30, the abuttal of a public street, 43 and 51, the abuttal of a public street, on deposited plan No. 2494, and by Lot 52 on said deposited plan No. 2494, 100.8 links; towards the east by Block 7, Hokowhitu Native Reserve, to the Manawatu River, 800 links; towards the south by the river; and towards the south-west by a public street.
