

Mr. Greenlade.

HAMILTON DOMAINS.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT dealing with the Hamilton Domains.

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 Hamilton Domains Act, 1911.

Short Title.

2. (1.) The Governor may, with the written consent of the Hamilton Domain Board, lease in the name and on behalf of His Majesty the King all or any portion of the lands within the Borough of Hamilton described in the *First* Schedule hereto and being a public domain under Part II of the Public Reserves and Domains Act, 1908.

Power to lease lands in First Schedule.

(2.) The provisions of the Public Bodies' Leases Act, 1908, shall apply to all leases granted under this section, and the Governor is hereby declared, with respect to the said lands, to be a leasing authority within the meaning of that Act.

(3.) A lessee under this section, or any person claiming through or under a lessee, shall have the same right of relief against re-entry or forfeiture as if the lessor were a person other than the Crown.

(4.) All revenues received from any land so leased shall be applied in accordance with Part II of the Public Reserves and Domains Act, 1908.

3. All restrictions and limitations imposed upon the leasing of the lands described in the *First* Schedule hereto by any Act or instrument other than the Public Bodies' Leases Act, 1908, are hereby removed.

Removal of restrictions.

4. Notwithstanding anything in the Public Reserves and Domains Act, 1908, the Governor may, in the name and on behalf of His Majesty, and with the written consent of the Hamilton Domain Board, lease for a term of fourteen years all or any portion of the lands within the Borough of Hamilton described in the *Second* Schedule hereto and being a public domain under Part II of the Public Reserves and Domains Act, 1908. Every such lease shall be subject to the conditions set out in the *Fourth* Schedule hereto, in addition to such other conditions as the Governor think fit and as are authorized by the Public Reserves and Domains Act 1908.

Power to lease Town Belt lands.

Lands in Third
Schedule vested in
Borough.

Arrangements as to
difference in
valuation.

Validation in entry
in books of Borough
Council.

Repeal.

5. The reservation of the lands described in the *Third* Schedule hereto for public recreation is hereby cancelled, and the said lands are hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for an estate in fee-simple, without power of sale, as a municipal endowment or for municipal purposes. 5

6. In exercise of the powers conferred upon local authorities which are Domain Boards by section forty-nine of the Public Reserves and Domains Act, 1908, the Hamilton Borough Council shall pay out of its ordinary funds for the purposes and to the funds of the Hamilton Domain Board, by annual instalments of not less than one hundred pounds, a total sum of six hundred and sixty pounds, being the difference between the amount due at the commencement of this Act for moneys advanced by the said Council to the said Board and the value as at the thirty-first day of March, nineteen hundred and six, of the lands described in the said *Third* Schedule with ten per centum of such value added. 10 15

7. An entry made on the first day of October, nineteen hundred and seven, in the books of the Hamilton Borough Council giving credit to the Hamilton Domain Board for the sum of nine hundred and fifty pounds, being the value of certain land acquired by the said Council from the said Board for the purposes of municipal saleyards (which sum is taken into account and allowed for in fixing the amount due on the commencement of this Act for moneys advanced by the said Council to the said Board) shall be, and the same is hereby validated. 20 25

8. The Hamilton Domains Empowering Act, 1894, is hereby repealed.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

TOWN OF HAMILTON EAST.

	A.	B.	P.
Sections 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 ...	11	3	35
Sections 156, 157, 158 ...	4	0	15
Sections 159, 160, 161, 162, 163, 164 ...	6	0	0
Sections 173, 174, 175, 176, 177, 178 ...	6	2	36
Sections 180, 181, 182, 183, 405A ...	4	3	10
Sections 209, 210 ...	2	0	0
Sections 214, 215 ...	3	0	15
Sections 244, 245 ...	2	0	0
Sections 247, 248, 249 ...	3	0	0
Sections 281, 282 ...	2	0	0
Sections 331, 332, 333, 334, 337, 338, 339, 340 ...	8	0	0
Sections 343, 344, 345, 346, 349, 350, 351, 352 ...	8	0	0
Sections 355, 356, 357, 358, 359, 360, 361, 362, 363 ...	8	2	30
Sections 365, 366, 367, 368 ...	4	0	0
Sections 369, 370, 371, 372, 372A, 373, 373A ...	4	0	5
Sections 380, 381, 382, 383, 384 ...	5	0	0
Sections 385, 386, 387, 388, 389 ...	4	0	0
Sections 321, 322, 323, 324A, 325A, 326 ...	5	1	0

Hamilton Domains.

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TOWN OF HAMILTON WEST.				A.	R.	P.
Section 28	1	1	36
Sections 146, 147, 149	3	1	14
Sections 194, 195	2	0	0
Sections 197, 198, 206, 207, 209	...	...	...	5	0	0
Sections 213, 214, 215, 216, 217, 218	...	...	...	6	0	0
Sections 6, 225, 226, 227, 228	...	...	...	3	2	31
Sections 251, 454	...	...	...	3	3	9
Sections 320	...	...	...	1	0	0
Sections 324, 325	...	...	...	2	0	0
Sections 335, 337	...	...	...	1	3	0
Sections 350, 352	...	...	...	2	0	0
Sections 369, 376A	...	...	...	1	1	0
Sections 129, 140, 142, 399A	...	...	...	4	3	25
Sections 170, 171	...	...	...	2	0	0

SECOND SCHEDULE.

HAMILTON EAST BELT.				A.	R.	P.
Section 24	...	...	...	6	3	6
Sections 25, 26, 27, 28	...	...	...	19	0	15
Sections 29, 30, 31	...	...	...	14	0	5
Sections 32, 33, 34, 35, 36	...	...	...	19	2	25
Sections 37, 38, 39, 40, 41	...	...	...	36	0	24
Sections 42, 43, 44	...	...	...	22	0	6
Sections 45, 46	...	...	...	13	1	2

HAMILTON WEST BELT.

Sections 1, 2, 3, 4, 5, 7	...	...	...	30	2	5
Section 8	...	...	...	4	2	28
Sections 13, 14	...	...	...	9	1	30
Sections 16, 17, 18, 19	...	...	...	29	3	21
Section 21	...	...	...	7	3	36
Sections 1A, 2A, 3A, 4A, 5A, 7A	...	...	...	1	3	26
Section 8A	...	...	...	0	0	6
Sections 13A, 14A	...	...	...	0	2	18

THIRD SCHEDULE.

TOWN OF HAMILTON WEST.				A.	R.	P.
Sections 201, 202, 203, 212, 457, 458, 409	...	...	...	27	2	29

HAMILTON WEST BELT.				A.	R.	P.
Section 20	...	...	...	14	0	0
Section 22A	...	...	...	2	0	0

FOURTH SCHEDULE.

At the expiration of the said term of fourteen years the value of all buildings, forest, fruit, and ornamental trees, fencing, and crops of every description erected, planted, and being in and upon the said land shall be fixed and determined by valuation made by three independent persons, one to be appointed by the Hamilton Domain Board, one by the lessee, his executors, administrators, or assigns, and the third by such two appointed persons; and the said land shall be relet by public auction for a further term of fourteen years, upon such terms and conditions as the Governor shall approve, at an upset rental to be fixed by the said Board, and subject to the amount so fixed and determined, which shall be payable to the said Board within fourteen days after the said auction; and such last-mentioned amount shall be paid over to the said lessee within seven days after the receipt thereof by the said Board, who shall, before giving possession to any person or persons other than the said lessee,

his executors, administrators, or assigns, collect from such person or persons the amount so fixed and determined as aforesaid: Provided that in the event of the said land not being relet at or above the upset rental so fixed by the said Board, then the lessee shall fix the upset rental for the said land, which shall not be less than the amount of the rent hereby reserved, and the said land shall again be put up to public auction for the like term of years and upon the like conditions in all respects as the said lands were previously offered under this condition at the upset rental so fixed by the said lessee, and subject to the amount so fixed and determined by valuation as aforesaid; and if no bid over and above the rent so fixed by the said lessee shall be received for the said land, the said lessee shall either take the said land at such upset rental or forfeit all claim and right to the amount so fixed and determined as the value of such buildings, forest, fruit, and ornamental trees, fencing, and crops: Provided also that at the end of such further term the then lessee may remove all buildings erected on the said land, but he shall have no further or other claim for the value of such buildings or of any other improvements of whatsoever description, nor shall he have any right to have the said land again put up to auction or re-let for any further term.

By Authority: JOHN MACKAY, Government Printer, Wellington. 1911.