

Wellington Corporation And Harbour Board Streets And Lands Act 1892

Local Act 1892 No 23
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An Act to vest certain Lands in the Corporation of the City of Wellington and the Wellington Harbour Board respectively, and to enable the Corporation and the Board respectively to devote certain Lands to particular Purposes.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

The Short Title of this Act is The Wellington Corporation and Harbour Board Streets and Lands Act 1892.

2 Interpretation

In this Act, if not inconsistent with the context,—

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

The Board means the Wellington Harbour Board, constituted by The Wellington Harbour Board Act 1879.

3 Custom-house Quay widened

It shall be lawful for the Governor to grant to the Corporation, as and for a public street, the land defined in Schedule 1 to this Act, being land not required for the purposes of the railway extension to Te Aro, and lying between Custom-house Quay and the said railway extension. The Corporation shall first pay into the Public Account of the Colony the sum of one thousand nine hundred and ninety-two dollars, being the cost of the reclamation of the said land from the sea, and of other works connected therewith. It shall be lawful for the Corporation to plant with trees or shrubs any portion of the said land, and to fence in the area so planted, and to erect any public conveniences thereon.

The expression “one thousand nine hundred and ninety-two dollars” was substituted, as from 10 July 1967, for the expression “nine hundred and ninety-six pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

4 Boat Harbour reclamation

It shall be lawful for the Governor to grant to the Board the land defined in Schedule 2 to this Act, being land not required for the purposes of the railway extension to Te Aro, and lying to seawards of the railway extension. The Board shall pay into the Public Account of the Colony the sum of one thousand seven hundred and eighty dollars, being the cost of reclamation of the said land from the sea, and of other works in connection therewith. The said land shall be vested in the Board as an endowment.

The expression “one thousand seven hundred and eighty dollars” was substituted, as from 10 July 1967, for the expression “eight hundred and ninety pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

5 Land under wharf

[Repealed]

Section 5 was repealed, as from 25 September 1987, by section 19 Wellington Harbour Board and Wellington City Council Vesting and Empowering Act 1987 (1987 No 5(L)).

6 Harbour Board’s reserve

The lands described in Schedule 4 to this Act, being part of a public street, shall be henceforth vested in the Board as a reserve, and shall not be let by the Board, nor shall any buildings be erected thereon.

7 Harbour Board’s endowment

The land described in Schedule 5 to this Act, being land now forming part of a public street, is hereby vested in the Board as an endowment, with power to the Board to let the same without previous public auction or tender to the tenant of the lands adjacent thereto, for such term not exceeding the residue of the term for which such adjacent lands are held, and upon such conditions, as to the Board shall seem fit.

8 Queen’s Wharf approach

The Governor may, by Order in Council, declare that the land described in Schedule 6 to this Act, being land now vested in the Board as an approach to the wharf, shall be divested from the Board and vested in the Corporation as a public street; and

upon the gazetting of such Order in Council the said land shall be so divested from the Board and vested in the Corporation accordingly. No such Order in Council shall be made except upon the joint application of the Corporation and the Board. The Board may pay to the Corporation such sum as may be agreed upon between the two bodies as the capitalised value of the future cost to the Corporation of the maintenance of the said piece of land as a public street.

9 Mount Victoria Signal-station

The piece of land described in Schedule 7, being land at and near the signal-station at Mount Victoria, is hereby vested in the Board in trust for the purposes of a signal-station.

10 Shed J, Waterloo Quay

Whereas a shed heretofore erected by the Board has been built in such a manner as to encroach upon the street known as Waterloo Quay, which street is vested in the Board by The Wellington Harbour Board and Corporation Land Act 1880: And whereas it is desirable to authorise such encroachment: Be it therefore enacted that such encroachment by the erection of part of a shed upon that part of Waterloo Quay defined in Schedule 8 to this Act shall be deemed to have been made under the authority of this Act, and the public right of way over that part of Waterloo Quay so defined shall be extinguished until such time as the Governor may order the removal of the said shed.

11 Weighbridge site

Whereas, by section 3 of The Wellington Queen's Wharf and Store Sales Act 1881, the Corporation was empowered to grant to the Board a lease for a term not exceeding forty-two years at a peppercorn rental of the parcel of land upon which the weighbridge and the office connected therewith have been erected, such parcel of land forming part of Custom-house Quay and of the approach to the Queen's Wharf: And whereas it has been found desirable to remove the said weighbridge and office to a part of Jervois Quay: Be it therefore enacted that the Corporation is hereby empowered to grant to the

Board a lease for a term of thirty-one years, at an annual rental of twenty dollars, of the piece of land described in Schedule 9 to this Act, notwithstanding that such land forms part of a public street; and the Corporation is hereby further empowered at the expiration of such term to grant to the Board a renewal of such lease for such term of years, at such rent, and subject to such conditions as shall be agreed upon between the Corporation and the Board, and again in the same manner from time to time to renew such lease. The weighbridge and office shall be deemed to be tenants' fixtures removable by the Board at the expiration of any such lease. After the removal of the weighbridge and office from their present position the present site thereof shall become part of the public street.

The expression "twenty dollars" was substituted, as from 10 July 1967, for the expression "ten pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

12 Width and position of Jervois Quay altered

Whereas by section 9 of The Reclamation within the Harbour of Wellington Act 1887, it was enacted that a street should be laid out and constructed by the Corporation, of the width, on the lines, and in the manner shown on the plan of the Marine Department numbered one thousand three hundred and forty-three: And whereas an alteration has been made by the Minister for Public Works in the proposed line of railway shown on the said plan: Be it therefore enacted that the said section 9 shall henceforth be read as if the words "as qualified by the plan of the Marine Department numbered one thousand seven hundred and forty-two" had been added after the words "plan of the Marine Department numbered one thousand three hundred and forty-three," wherever the same occur in the same section; and that any land comprised in the said plan numbered one thousand three hundred and forty-three heretofore laid out or dedicated by the Corporation as a public highway or street, and which by the joint operation of The Reclamation within the Harbour of Wellington Act 1887, and this Act, is not required to be laid out as a street, shall cease to be such highway or street, and shall henceforth be held by the

Corporation in like manner as if such laying out or dedication had not taken place.

Schedule 1

All that piece or parcel of land forming a portion of the land reclaimed from the sea and contiguous to the Queen's Wharf approach and Custom-house Quay, formerly known as the Boat Harbour, containing by admeasurement 1 rood and 21.5 perches, more or less, bounded as follows: To the northward by a line, being the production in a westerly direction of the northern side of the Brandon Street approach to the Queen's Wharf; to the eastward by a curve, being the western boundary of the land reserved for the extension of the Wellington-Woodville Railway to Te Aro; to the south-westward by a portion of the north-eastern boundary of the land described in Schedule 2 of The Wellington Harbour Board Land and Reclamation Act 1883, being land vested in the Harbour Board and Corporation for road purposes; and to the westward by the breastwork retaining the street known as Customhouse Quay: the same being shown on a plan deposited at the office of the Marine Department and numbered MD 1739, and being thereon bordered green.

Schedule 2

All that piece or parcel of land forming a portion of the land reclaimed from the sea, and contiguous to the Queen's Wharf and to the Queen's Wharf approach, formerly known as the Boat Harbour, containing by admeasurement 1 rood and 16.5 perches, more or less, bounded as follows: Towards the eastward by the top edge of the slope of the seaward face of such reclamation; towards the south by the northern boundary of the piece of land described in Schedule 3 to The Reclamation within the Harbour of Wellington Act 1887, and a production of such line easterly to its intersection with the top edge of seaward slope of reclamation; towards the south-westward by a portion of the north-eastern boundary of the land described in Schedule 2 of The Wellington Harbour Board Land and Reclamation Act 1883; towards the westward by a curve, being the eastern boundary of the

land reserved for the extension of the Wellington-Woodville Railway to Te Aro: the same being shown on a plan deposited at the office of the Marine Department, and numbered MD 1739, and being thereon bordered red.

Schedule 3

All that piece or parcel of land forming a portion of the land reclaimed from the sea and underlying the structure of the inner north tee of the Queen's Wharf, and of its Brandon Street approach, being the land contained between the top edge of the slope of the seaward face referred to in Schedule 2 hereto and low-water mark, and terminating to the northward by the northern face of the Brandon Street approach, and to the southward by the production in an easterly direction of the southern boundary of the land described in Schedule 2: the same being shown on a plan deposited at the office of the Marine Department and numbered MD 1739, and being thereon coloured neutral tint.

Schedule 4

All that piece or parcel of land containing by admeasurement one-tenth of a perch, and forming a portion of the land vested in the Wellington Harbour Board for the purpose of widening the approach to the Queen's Wharf, as described in Schedule 2 of The Wellington Harbour Board Land and Reclamation Act 1883, bounded as follows: Commencing at a point situated at a distance of 105½ links, on a bearing of 141° 7' from the standard block at the junction of Grey Street and Customhouse Quay, in the City of Wellington, the said point being that shown on the plan MD 819 accompanying the aforesaid Act as at a distance of 270 links in continuation in a westerly direction of the southern boundary of the Queen's Wharf; thence in a south-westerly direction a distance of 10 links, on a bearing of 202° 35' to a point being the eastern corner of the site of the old Queen's Bond, as shown on the aforesaid plan; thence in a north-westerly direction along the northern boundary of the said Bond-site a distance of 7.8 links, on a bearing of 292° 12'; thence in a northerly direction a distance of 4.6 links, on a bearing of 351° 31'; and thence to the

commencing-point a distance of 11.9 links, on a bearing of 81° 31': the same being shown on a plan deposited at the office of the Marine Department, Wellington, and numbered MD 1740, and being thereon coloured green.

Schedule 5

All that triangular piece of land containing by admeasurement 0.03 of a perch, and forming a portion of the land referred to in Schedule 4 as having been vested under The Wellington Harbour Board Land and Reclamation Act 1883, in the Wellington Harbour Board for widening the approach to the Queen's Wharf. Bounded as follows: To the eastward by the piece of land described in Schedule 4, 4.6 links; to the south-westward by a portion of the northern boundary of the Bond-site referred to in Schedule 4, 9 links; and to the northward by the continuation in a westerly direction of the southern boundary of the Queen's Wharf approach, 7.7 links: the same being shown on a plan deposited at the office of the Marine Department and numbered MD 1740, and being thereon coloured red.

Schedule 6

All that piece or parcel of land coloured yellow on a plan deposited at the office of the Marine Department and numbered MD 819, as described in Schedule 2 to The Wellington Harbour Board Land and Reclamation Act 1883, excepting the portion thereof hatched red on the said plan and referred to in Schedule 3 to the said Act, and excepting the lands described in Schedules 4 and 5 to this Act: the same being shown on a plan deposited at the office of the Marine Department and numbered MD 1739, and being thereon bordered yellow.

Schedule 7

All that piece or parcel of land situated at Mount Victoria, containing 5 acres, more or less, being bounded to the eastward 708 links by Section No 2 of the Evans Bay District; and to the northward,

westward, and southward, each 708 links, by the reserve vested in the Corporation and known as the Town Belt: as shown on a plan deposited at the office of the Marine Department and numbered MD 1748, and thereon bordered red.

Schedule 8

All that piece or parcel of land containing by admeasurement 8.5 perches, forming a portion of Waterloo Quay, bounded as follows: Commencing at a point on the eastern boundary of Waterloo Quay, and situated at a distance of 650.8 links on a bearing of $45^{\circ} 36'$ from the standard block at the junction of Whitmore Street and Waterloo Quay; thence in a north-westerly direction 18.5 links, on a bearing of $305^{\circ} 48'$; thence in a north-easterly direction 304.7 links, on a bearing of $215^{\circ} 26' 30''$; thence in a south-easterly direction a distance of 16.35 links, on a bearing of $305^{\circ} 42'$ to a point situated on the aforesaid eastern boundary of Waterloo Quay; thence in a south-westerly direction 304.8 links along the aforesaid eastern boundary to the point of commencement: the same being shown on plan deposited at the office of the Marine Department and numbered MD 1741, and being thereon coloured yellow.

Schedule 9

All that portion of the roadway of Jervois Quay, containing by admeasurement 2 perches, more or less, bounded northerly and southerly 37.7 links, on a bearing of $261^{\circ} 33'$; and easterly and westerly 32.1 links, on a bearing of $171^{\circ} 33'$, and having its south-east corner situated on a line perpendicular to the **defined line** at the point **C** therein, and distant 24 links therefrom; such **defined line** and point **C** therein being respectively defined in Schedules 1 and 5 to The Reclamation within the Harbour of Wellington Act 1887: the same being shown on a plan deposited at the office of the Marine Department and numbered MD 1742, and being thereon coloured yellow.