

New Zealand.

ANALYSIS.

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1927, No. 12.—*Local and Personal.*

- Title. AN ACT to authorize the Hutt River Board to develop and control Gear Island as a Sports Area and Pleasure-ground and Ornamental Park, and for that Purpose to grant Leases to Sports Bodies and Others and to raise Money for the Development and Improvement of the Island. [2nd November, 1927.]
- Preamble. WHEREAS the land described in the Schedule hereto, situate in the bed of the Hutt River (hereinafter referred to as Gear Island) was acquired by the Hutt River Board under the Public Works Act, 1894, for river-protection purposes, and has been protected from flood by the Board's improvement works: And whereas applications have been made by various sports bodies and others for leases of the said land:
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 Hutt River Board (Gear Island) Empowering Act, 1927.
- Interpretation. 2. In this Act—
“Board” means the Hutt River Board:
“Island” means Gear Island as the same is more particularly described in the Schedule to this Act:
“Sports bodies” means any body, whether incorporated or not, the object or one of the objects of which is to provide its members with facilities or opportunities for engaging in football, cricket, tennis, golf, hockey, rowing, bathing,

Empowering.

swimming, boxing, croquet, bowls, athletics, and all other kindred sports and games calculated to promote physical health and well-being; it includes also any body exercising control over any sport or game.

3. The Board may, for the purpose of providing sports areas and pleasure-grounds for the residents of the Hutt Valley, the City of Wellington, and the surrounding districts, in accordance with a scheme approved by the Board, develop, manage, and control the island, and for such purpose the Board shall have the following powers in addition to any other powers vested in it under the Public Bodies' Leases Act, 1908, or any other Act:—

Leasing-powers of Board.

- (a) To grant leases, without submitting the same to public auction or public tender, to sports bodies and other persons of the whole or any part of the island for any term, either with or without a right of renewal, but so that the aggregate duration of the original and the renewed terms shall not exceed fifty years:
- (b) To erect, develop, improve, and maintain training-halls, with necessary gymnastic appliances, lecture-rooms, club-houses, refreshment-rooms, baths, bridges, pavilions, and any other buildings upon the said land, and effect such improvements thereon or thereto as from time to time it may think fit, or remove or dispose of any buildings thereon, and grant any easement over or in regard to the said land, but not so as to interfere with the use or enjoyment thereof:
- (c) To drain and level the said island or any part thereof, and to plant the same or any part thereof with trees, shrubs, or hedges, and fence and lay out gardens and promenades:
- (d) To pay all preliminary expenses for surveying or engineering, and for obtaining designs for the development of the island:
- (e) To lay out and construct roads, paths, tram-lines, and tracks through or over any part of the island:
- (f) To raise money under the Local Bodies' Loans Act, 1926, for any work proposed to be undertaken under the authority of this Act; and every such work shall be deemed to be a "public work or undertaking" within the meaning of the Local Bodies' Loans Act, 1926: any loan raised under the powers hereinbefore conferred may be secured by a special rate made and levied over the whole of the rateable property of the Board's district; such rate shall be made and levied on a uniform basis, and the provisions of the River Boards Act, 1908, relating to classification shall not apply:
- (g) To authorize the Board's tenants to charge for admission to land leased to them at such rates and upon such terms and conditions as the Board deems fit.

4. It shall be lawful for the Board by resolution from time to time to make rules—

Rules regulating admission and charges.

- (a) Prescribing the conditions upon which the public or any portion thereof shall be permitted to have access to the said land or any part thereof, or to any building or enclosure thereon;
- (b) Regulating the price for admission on any occasion; and

(c) Regulating the charges that may be made for the occupation of the said land or any portion thereof.

Public Reserves and
Domains Act, 1908,
not to apply.

5. The Public Reserves and Domains Act, 1908, and any other enactments relating to public reserves and domains, shall not apply to the island.

Board may make
by-laws.

6. (1) The Board may from time to time by resolution make by-laws for all or any of the following purposes, that is to say:—

(a) For the safety and preservation of and to prevent injury to the buildings, fences, turf, and all other property under the control of the Board:

(b) For preventing and repressing betting, gambling, or disorderly or unseemly behaviour of persons, whether spectators or players, in or about the island, and preventing the admission of undesirable persons:

(c) For preventing persons gaining or attempting to gain admission to any land, building, or enclosure under the control of the Board without payment of the proper charges payable for the admission to such land, building, or enclosure, on any day when the island or any part thereof is being used for any of the purposes for which it is hereby authorized to be used.

(2) No by-laws made by the Board shall come into operation until the same shall have been approved by the Governor-General and gazetted.

(3) The publication in the *Gazette* of any by-laws purporting to be made under this Act and to have been approved by the Governor-General shall, until the contrary is shown, be sufficient evidence that the same have been duly made and approved in accordance with this Act.

Penalty for breach
of by-laws.

7. Every person who commits any breach of any by-law under this Act is liable to a fine not exceeding twenty pounds, and shall also be liable to pay damages in respect of any injury done by such person. All such fines and damages shall be recoverable in a summary way, and when so recovered shall be paid without deduction to the Board.

Schedule.

SCHEDULE.

ALL that parcel of land containing 162 acres 2 roods, being parts of the land comprised in certificates of title, Volume 188, folio 73; Volume 170, folio 225; and Volume 135, folio 269; and all the land comprised in certificate of title, Volume 132, folio 257, and part of closed western arm of the Hutt River; all being part of Sections 8, 9, 10, 17, Block XIII, Belmont Survey District, more particularly delineated on plan No. 263/31, lodged in the office of the Chief Surveyor, Wellington.