

Reserves and other Lands Disposal Act 1928

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An Act to provide for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, and to validate certain Transactions.

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

This Act may be cited as the Reserves and other Lands Disposal Act 1928.

Cancellation of reservation over certain lands.

2 Reservation over lands described in Schedule cancelled, and lands declared to be Crown lands

The reservation over the several parcels of land described in the Schedule to this Act for the several purposes specified in that Schedule is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1948.

The reference to the Land Act 1948 was substituted, as from 1 April 1949, for a reference to the Land Act 1924 by section 185(1) Land Act 1948 (1948 No 64).

North Auckland Land District.

3 Section 6 of Reserves and other Lands Disposal Act 1927, amended

Section six of the Reserves and other Lands Disposal Act 1927, is hereby amended as from the passing of that Act by omitting the references to Volume 253, folio 192, Auckland Registry, and in each case substituting a reference to Volume 232, folio 79, Auckland Registry.

4 Authorizing issue of certificates of title in the name of His Majesty in respect of certain lands in Takahue Survey District

Whereas the land firstly described in subsection two hereof is portion of a closed road, and the land secondly so described is portion of a stopped road: And whereas it is desirable to authorize the issue to His Majesty of certificates of title to the said lands and to incorporate them in the lease registered under Number 13190 in the Auckland Registry of the lands (being

lands vested in His Majesty subject to the Discharged Soldiers Settlement Amendment Act 1921-22) comprised in certificates of title, Volume 244, folios 202, 203, and 204, Auckland Registry, the said lease having been granted under the said Act: Be it therefore enacted as follows:—

- (1) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to issue, free of cost, certificates of title in the name of His Majesty the King in respect of the closed and stopped road areas described in subsection two hereof, such parcels of land to be held by His Majesty the King in like manner to the land vested in him by virtue of certificates of title, Volume 244, folios 202, 203, and 204, and to be subject to all the rights and privileges conferred by the Discharged Soldiers Settlement Amendment Act 1921-22, and any amendments thereof; and notwithstanding anything to the contrary contained in any Act such certificates of title shall be subject to the same restrictions, charges, and encumbrances (if any) as those to which certificates of title, Volume 244, folios 202, 203, and 204, hereinbefore referred to are subject.
- (2) The lands in respect of which such certificates of title shall be issued are particularly described as follows: Firstly, all that area in the North Auckland Land District, containing by admeasurement one acre and eleven perches, more or less, being Section 47, Block X, Takahue Survey District; and secondly, all that area in the North Auckland Land District, containing by admeasurement one acre one rood twenty and nine-tenths perches, more or less, being Section 33, Block XI, Takahue Survey District: as the same are more particularly delineated on the plans deposited in the office of the Chief Surveyor of the North Auckland

Land District at Auckland, numbered 16118 and 17217 respectively, and thereon coloured green.

Auckland Land District.

5 Exchange of portion of Hamilton Domain for land vested in Hamilton Borough Corporation

Whereas the Hamilton Borough Council desires to exchange the land described in subsection three hereof for the land described in subsection four hereof, which last-mentioned land is part of a public domain under Part 2 of the Public Reserves and Domains Act 1908, but there is no statutory authority for the making of such exchange:

Be it therefore enacted as follows:—

- (1) The vesting in the Corporation of the Borough of Hamilton of the land described in subsection three hereof is hereby cancelled, and the said land is hereby vested in His Majesty and declared to form part of the Hamilton Domain lands for the purpose of public recreation, and to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908; and the District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to cancel all existing titles to the said land, and to issue a certificate of title in respect thereof in the name of His Majesty the King free of all encumbrances with the exception of a memorial that the said land is subject to Part 2 of the Public Reserves and Domains Act 1908.
- (2) The reservation over the land described in subsection four hereof for the purpose of public recreation is hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Hamilton for an estate in fee-simple without power of sale as a municipal endowment or for municipal purposes; and the District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to cancel all existing titles to the said land, and to issue a certificate of title in respect thereof to the Corporation of the Borough of Hamilton.

- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that piece or parcel of land in the Auckland Land District, containing eighteen and thirty-seven hundredths perches, more or less, being part Sections 5, 5A, 7, and 7A of the Hamilton West Town Belt, and being the whole of the land comprised and described in certificate of title, Volume 430, folio 254, Auckland Registry.

- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that piece or parcel of land in the Auckland Land District, containing by admeasurement eighteen and thirty-six hundredths perches more or less, being part of Section 10 of the Hamilton West Town Belt; and being the whole of the land comprised in a plan deposited in the office of the District Land Registrar at Auckland under Number 21424.

6 Authorizing issue of titles in respect of portions of Allotment 349, Parish of Kirikiriroa, being the dry bed of the former Lake Tunawhakapeke

Whereas a lake situated in the Parish of Kirikiriroa, in the Auckland Land District, known as Lake Tunawhakapeke, has ceased to exist by reason of the drainage operations of certain Land Drainage Boards: And whereas the said lake is shown as the boundary of various sections and allotments of land in the said parish and in the Parish of Komakorau, such sections and allotments having abutted on the said lake: And whereas there has been lodged in the office of the District Land Registrar at Auckland a plan showing and defining the original lake-bed (hereafter to be known as Allotment 349, Parish of Kirikiriroa, and containing approximately an area of four hundred and nineteen acres—that is to say, the land formerly occupied by the said lake), and such plan is numbered 16097: And whereas the owners or registered proprietors of the various sections and allotments aforesaid have sought to obtain from the District Land Registrar at Auckland certificates of title for the former lake-bed in accordance with a scheme or arrangement mutu-

ally agreed upon by them, but doubts have arisen as to the powers of the said District Land Registrar in that behalf: And whereas the titles to all the sections and allotments aforesaid are under the provisions of the Land Transfer Act 1915: Be it therefore enacted as follows:—

- (1) On presentation to him of a copy of this Act accompanied by an agreement between the registered proprietors aforesaid as to the portion or portions of the land comprised in the said lake-bed to be allocated to each of the said proprietors, the District Land Registrar for the Land Registration District of Auckland shall have authority, anything to the contrary in any Act notwithstanding, to issue, and shall issue, on completion of such surveys as may be necessary and on payment of the necessary fees, a certificate of title to each of such registered proprietors in respect of the portion or portions of land so allocated to him by such agreement.
- (2) Any agreement as aforesaid shall be valid and effective, notwithstanding that it may have been made before the passing of this Act.

7 Cancellling reservation over a Maori school site in Block V, Alexandra Survey District

Whereas the land hereinafter described forms portion of the Wharauoa Block, over which the Native title was extinguished as notified by a Proclamation issued under the Waste Lands Act 1856, and published in the *Gazette* of the twenty-sixth day of January, eighteen hundred and fifty-eight: And whereas by action taken pursuant to the Maori School Sites Act 1880, the said land was purported to be vested in the Crown for the purpose of a site for a school as from the twenty-first day of September, eighteen hundred and eighty-two, but doubts have arisen as to the validity of such vesting having regard to the Proclamation hereinbefore referred to: And whereas the said land is not required as a site for a school, and it is desirable that any reservation or trust which may have been created pursuant to the Maori School Sites Act 1880, should be removed to enable the land to be

dealt with as Crown land under the provisions of the Land Act 1924: Be it therefore enacted as follows:—

- (1) Any trust or reservation which may have been created under the Maori School Sites Act 1880, with respect to the land hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the provisions of the Land Act 1924.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Auckland Land District, situated in Block V, Alexandra Survey District, containing by admeasurement three acres, more or less, as more particularly delineated on a plan deposited in the office of the Chief Surveyor of the Auckland Land District at Auckland, and numbered 5518 (red).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

8 Authorizing the carrying-out of an agreement between the Minister of Education and the Rotorua High School Board

[Repealed]

Section 8 was repealed, as from 25 October 1960, by section 12(5) Reserves and other Lands Disposal Act 1960 (1960 No 108).

Wellington Land District.

9 Authorising an exchange of land between the Crown and the Hutt Park Committee

Whereas, pursuant to section seventy-four of the Land for Settlements Act 1925, and section twelve of the Public Reserves and Domains Act 1908, the Crown has agreed to grant to the Hutt Park Committee Constituted Pursuant to the Hutt Park Act 1907, the area of settlement land described in subsection three hereof in exchange for the land described in subsection four hereof, being land vested in the said committee in trust for recreation purposes by virtue of the last mentioned Act: And whereas by Order in Council dated the seventeenth day of October, nineteen hundred and twenty-seven,

and published in the *Gazette* of the twentieth day of that month, the aforementioned exchange was authorized, but doubts have arisen as to whether section twelve of the Public Reserve and Domains Act 1908, is sufficient authority to enable the Hutt Park Committee to carry out the exchange, and it is desirable that any doubts in this respect should be removed: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Hutt Park Act 1907, or in any other Act, the Hutt Park Committee constituted under the said Act may transfer or convey to the Crown the land described in subsection four hereof in exchange for the land described in subsection three hereof, and the said Committee and the Governor-General on behalf of His Majesty the King may execute all such instruments as may be necessary to give full effect to such exchange.
- (2) All land which pursuant to such agreement becomes vested in His Majesty shall be deemed to be settlement land subject to the provisions of the Land for Settlements Act 1925, and all land so becoming vested in the Hutt Park Committee shall be held by that body subject to the provisions of the Hutt Park Act 1907, and to the trusts imposed by that Act.
- (3) The settlement land to which this section relates is particularly described as follows:—All that area in the Borough of Lower Hutt, Wellington Land District, containing by admeasurement five acres three roods thirty perches, more or less, being part Section 12, Hutt Registration District, Block XIV, Belmont Survey District, and being the whole of the land shown on plan numbered 169/19, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.
- (4) The land vested in the Hutt Park Committee to which this section relates is particularly described as follows:—

All that area in the Borough of Lower Hutt, Wellington Land District, containing by admeasurement thirteen acres three roods twenty-seven perches, more or

less, being part of the land known as the Hutt Racecourse Reserve, part Section 12, Hutt Registration District, Block XIV, Belmont Survey District, and being the whole of the land shown on plan numbered 169/18, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered red.

10 Authorizing sale of Art Gallery site in City of Wellington, and application of proceeds towards erection of Dominion Art Gallery on Mount Cook site

- (1) Notwithstanding any trust or condition affecting the land comprised in certificate of title, Volume 55, folio 182, Wellington Registry, the New Zealand Academy of Fine Arts (Incorporated) shall, subject to the provisions of this section, be entitled to sell the said land and all buildings thereon in such manner, upon such terms, and subject to such conditions as the Council of the New Zealand Academy of Fine Arts shall think fit.
- (2) The net proceeds of such sale, after payment of any commission and of any legal or other costs incidental thereto, shall be paid over to the trustees in whom for the time being any funds obtained by public subscription or otherwise for the erection of a Dominion Art Gallery upon the site set aside therefor by the Government of New Zealand upon Mount Cook, in the City of Wellington, are vested, and shall be applied by the said trustees towards the cost of the erection of such Dominion Art Gallery.
- (3) Prior to the said sale the Council of the New Zealand Academy of Fine Arts shall satisfy itself that adequate accommodation in the building of the Dominion Art Gallery has been or will be provided and will thereafter be permanently available for the carrying-on of the objects and purposes of the New Zealand Academy of Fine Arts.

11 Validating certain grants of money and purchase of certain land by trustees of a recreation and racecourse reserve at Martinborough

Whereas the land comprised in certificate of title, Volume 103, folio 58, Wellington Land Registry, containing one hundred and one acres and twenty-six perches, is vested in trustees in trust as a public recreation-ground and racecourse for the

people of Martinborough and the surrounding districts, subject (save as otherwise provided in the instrument creating the trust) to the provisions of sections twenty-nine and thirty of the Public Reserves and Domains Act 1908: And whereas the trustees of the said reserve, out of the proceeds derived therefrom, have (1) made grants amounting in all to the sum of one hundred and fifty dollars towards the cost of improving Martin Square (now known as Memorial Square), Martinborough, and (2) acquired an area of thirteen acres, in the Borough of Martinborough, being the whole of the land comprised in certificate of title, Volume 374, folio 211, Wellington Land Registry: And whereas doubts have been expressed as to the validity of the said transactions, and it is expedient to validate such transactions: Be it therefore enacted as follows:—

- (1) The grants amounting to one hundred and fifty dollars made by the trustees as aforesaid towards the cost of improving Martin Square (now known as Memorial Square), Martinborough, are hereby validated.
- (2) The land acquired by the trustees as aforesaid, being the land comprised in certificate of title, Volume 374, folio 211, Wellington Land Registry, as aforesaid, shall be held by the trustees as a public recreation reserve for the people of Martinborough and district in accordance with the provisions of a declaration of trust made by the trustees and dated the twentieth day of May, nineteen hundred and twenty-seven.

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

12 Setting apart the Weraroa Experimental Farm as an endowment for agricultural research, experiment, and instruction, and authorizing the subdivision and leasing thereof, and the use of the revenue therefrom for the said purposes

[Repealed]

Subsection (3) was repealed, as from 16 September 1938, by section 12 Reserves and other Lands Disposal Act 1938 (1938 No 19).

Section 12 was repealed, as from 1 April 1949, by section 185(1) Land Act 1948 (1948 No 64).

Marlborough Land District.

13 Authorizing leasing of portion of Waitohi Domain

Whereas the lands hereinafter described form a public domain known as the Waitohi Domain, the control of which is vested in the Picton Borough Council, constituted as the Waitohi Domain Board by virtue of an Order in Council dated the twenty-first day of November, nineteen hundred and ten, and published in the *Gazette* of the twenty-fourth day of that month: And whereas it is desirable to confer on the Governor-General power to lease portions of the said domain for industrial and other purposes, and to authorize the said Borough Council to raise a loan or loans for the carrying-out of reclamation and general improvement works on the said Domain: Be it therefore enacted as follows:—

- (1) Subject to the provisions of subsection five hereof the Governor-General may on the request in writing of the Waitohi Domain Board lease in the name and on behalf of His Majesty the King all or any portion of the land firstly hereinafter described, being portion of the aforesaid Waitohi Domain.
- (2) The provisions of the Public Bodies Leases Act 1908, shall apply to all leases granted under this section, and the Governor-General is hereby empowered to exercise with respect to the said land all the powers which are conferred on a leasing authority by that Act.
- (3) All restrictions and limitations imposed upon the leasing of the said land by any enactment other than this section and the Public Bodies Leases Act 1908, are hereby removed.
- (4) All revenues derived from any land leased under this section shall (notwithstanding anything to the contrary in any Act) be payable to the Waitohi Domain Board, and shall be applied, firstly, in the payment of interest and sinking-fund charges with respect to any loan raised under subsection six hereof, and then in the carrying-out of reclamation works on the lands hereinafter described,

and generally in rendering those lands suitable for recreation and industrial purposes.

- (5) No lease of any part of the land firstly hereinafter described shall be granted under subsection one hereof unless the Minister of Lands is satisfied that the Waitohi Domain Board has made provision for the reclamation for recreation purposes of an area of not less than four acres out of the land secondly hereinafter described.
- (6) The Picton Borough Council may from time to time borrow moneys by way of special loan under the Local Bodies Loans Act 1926, and in its capacity as the Waitohi Domain Board expend the proceeds of such loan or loans in the carrying-out of reclamation works, the erection of buildings, the forming of roads, and the making of other improvements on the lands hereinafter described.
- (7) The provisions of section 168 of the Harbours Act 1923, shall not apply to the said lands, and the Governor-General may by Order in Council authorize the Council to reclaim the whole or any portion or portions thereof, subject to compliance by the said Council with the provisions of section 171 of that Act.
- (8) The parcels of land to which this section relates are particularly described as follows:—

Firstly, all that area in the Marlborough Land District, containing by admeasurement nine acres three roods, more or less, being Section 1150 and part of Section 1161, Town of Picton, and bounded as follows: towards the north by part of Reserve D, 994.4 links; towards the east generally by railway land, 371.6 links and 526.5 links; towards the south by Dublin Street, 1300 links; and towards the west by part of Section 1161, Town of Picton, 844.4 links: be all the aforesaid linkages more or less.

Secondly, all that area in the Marlborough Land District, containing by admeasurement five acres two roods fifteen perches, more or less, being part of Section 1161, Town of Picton, and bounded as follows: towards the north by part of Reserve D, 705 links; towards the east

by other part of Section 1161, Town of Picton, 844.4 links; towards the south by Dublin Street, 489.5 links; and towards the west by Shakespeare Road: be all the aforesaid linkages more or less.

Westland Land District.

14 Cancelling reservation as a provisional State forest over certain lands in Westland Land District and setting them apart as scenic reserves

Whereas the parcels of land hereinafter described form portion of reserves set apart by Proclamations published in the Gazettes of the eighth day of May, nineteen hundred and nineteen, and the fourteenth day of October, nineteen hundred and twenty, as and for provisional State forests, and the said lands are now subject to the provisions of the Forests Act 1921-22: And whereas it is desirable that the said lands should be set apart as scenic reserves subject to the provisions of the Scenery Preservation Act 1908, as recommended by the Board constituted under that Act: Be it therefore enacted as follows:—

- (1) The reservation as provisional State forests over the parcels of land hereinafter described is hereby cancelled, and the said lands are hereby set apart as scenic reserves subject to the provisions of the Scenery Preservation Act 1908.
- (2) The lands to which this section relates are particularly described as follows:—

All that area in the Westland Land District, containing fourteen thousand one hundred and twenty acres, more or less, situated in Blocks IX, X, XIII, XIV, and XV, Waiho, and I, Mount Cook Survey Districts, being all that part of Provisional State Forest Reserve 1644 lying eastward of a straight line running from an angle on the boundary of that reserve, 1600 links due west of the Omoeroa River, opposite the north boundary of Reserve 928, to the north-eastern corner of Reserve 338; together with the balance of Provisional State Forest Reserve 1697 after deducting that portion thereof lying between the Main South Road, the Omoeroa River, and

the southern boundary of Section 2419 produced: as the same is more particularly delineated on plan marked L and S 4/26, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red.

Also all that area in the Westland Land District, containing three hundred and seventy-five acres, more or less, being part of Provisional State Forest Reserve 1671, situated in Blocks XI, XII, and XV, Waitaha Survey District, and bounded towards the north generally by Reserve 1189 and Section 2193; towards the south generally by Reserve 1190; toward the east by a right line joining the north-eastern corner of said Reserve 1190 with a point 1700 links (scaled) from the eastern side of the Main South Road along the southern boundary of Section 2193; and towards the west by a right line joining a point on the western boundary of Reserve 1189, at a distance of 2750 links (scaled) from the south-western corner thereof, with a point on the western boundary of the said Reserve 1190, at a distance of 3500 links (scaled) from the north-western corner thereof: as the same is more particularly delineated on plan marked L and S 4/26A, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red.

Also all that area in the Westland Land District, containing by admeasurement seven acres two roods twenty perches, more or less, being part of Provisional State Forest Reserve 1645, situated in Block XI, Waiho Survey District, and bounded towards the north by the Town of Waiho Gorge, towards the south-east by Reserve 1461, and towards the west by the Main South Road: as the same is more particularly delineated on plan marked L and S 4/26B, deposited in the Head

Office, Department of Lands and Survey at Wellington,
and thereon edged red.

Canterbury Land District.

15 Authorizing leasing of portion of Wahi Takaro Domain for Building purposes

- (1) Notwithstanding anything to the contrary in section thirty-four of the Public Reserves and Domains Act 1908, the Governor-General or the Minister of Lands may, on the request in writing of the Wahi Takaro Domain Board, grant leases under that section over portions of Reserve 3716, Block VIII, Teviotdale Survey District, in the Canterbury Land District (being part of the Wahi Takaro Domain), authorizing the lessees to erect buildings on the lands comprised in such leases.
- (2) No such lease shall comprise an area exceeding one rood, and no such area shall at any point be less than one chain from high-water mark, and the aggregate area so leased for building purposes shall not exceed ten acres.
- (3) Every lease granted under this section shall provide for the erection of a house within a specified time on the land comprised in the lease, in accordance with plans and specifications to be approved by the Wahi Takaro Domain Board, and for the maintenance of the premises in good order to the satisfaction of the said Domain Board:

Provided that where before the passing of this Act any house has been erected on any land so leased the said Domain Board may accept such erection as sufficient compliance with the requirements of the lease in that respect.

Subsection (1) was amended, as from 1 December 1950, by section 25 Reserves and other Lands Disposal Act 1950 (1950 No 89) by inserting the words “or the Minister of Lands”.

Subsection (2) was amended, as from 27 November 1953, by section 8 Reserves and other Lands Disposals Act 1953 (1953 No 107) by substituting the words “ten acres” for the words “five acres”.

16 Authorizing leasing of portion of Leithfield Domain for building purposes

- (1) Notwithstanding anything to the contrary in section thirty-four of the Public Reserves and Domains Act 1908, the Governor-

General or the Minister of Lands may, on the request in writing of the Leithfield Domain Board, grant leases under that section over portion of Reserves 3595 and 4124, Block IX, Teviotdale Survey District, in the Canterbury Land District (being part of the Leithfield Domain), and any other land which may be added to the said domain, authorizing the lessees to erect buildings on the lands comprised in such leases.

- (2) No such lease shall comprise an area exceeding one rood, and no such area shall at any point be less than one chain from high-water mark and the aggregate area so leased for building purposes shall not exceed fifteen acres.
- (3) Every lease granted under this section shall provide for the erection of a house within a specified time on the land comprised in the lease in accordance with plans and specifications to be approved by the Leithfield Domain Board, and for the maintenance of the premises in good order to the satisfaction of the said Domain Board:

Provided that where before the passing of this Act any house has been erected on any land so leased the said Domain Board may accept such erection as sufficient compliance with the requirements of the lease in that respect.

Subsection (1) was amended, as from 1 December 1950, by section 25 Reserves and other Lands Disposal Act 1950 (1950 No 89) by inserting the words “or the Minister of Lands”.

17 Authorizing Lyttelton Harbour Board to grant certain land to Lyttelton Borough Council as a recreation-reserve
[Repealed]

Section 17 was repealed, as from 7 November 1929, by section 12(1) Reserves and other Lands Disposal Act 1929 (1929 No 18).

Otago Land District.

18 Cancelling reservation over Wakefield cemetery Reserve and validating disposal thereof

Whereas by the Otago Cemeteries Ordinance, 1865, the land described in subsection three hereof was reserved from sale and set aside and appropriated for the establishment and for the purpose of a public cemetery for the interment of the dead: And whereas the said land was on the third day of August,

eighteen hundred and seventy, granted to the Superintendent of Otago in trust as a site for a public cemetery for the interment of the dead: And whereas by an Order in Council dated the first day of June, eighteen hundred and eighty-six, the powers of appointment and removal of trustees in terms of section six of the Cemeteries Act 1882, were delegated to the Vincent County Council, but no trustees were ever appointed: And whereas the said land has never been used for the burial of the dead: And whereas the Crown has disposed of the said land as to the part firstly described in subsection four hereof to John McLean and George Edward McLachlan for an estate in fee-simple, and as to the part secondly described in the said subsection four to John McLean for an estate in leasehold: And whereas it is now expedient that the reservation for cemetery purposes over the said land should be cancelled, and that the disposal thereof as hereinbefore referred to should be validated: Be it therefore enacted as follows:—

- (1) The Order in Council dated the first day of June, eighteen hundred and eighty-six, aforesaid is hereby revoked in so far as it relates to the land described in subsection three hereof, and the reservation for cemetery purposes over the said land as hereinbefore referred to is hereby cancelled and shall be deemed for all purposes to have been so cancelled on the seventh day of March, eighteen hundred and eighty-nine.
- (2) The sale of the land firstly described in subsection four hereof by the Crown to John McLean and George Edward McLachlan for an estate in fee-simple, and the disposal by way of lease of the land secondly described in the said subsection four hereof to John McLean, are hereby validated, and the certificate of title and deed of lease referred to in the said subsection shall for all purposes be deemed to have been lawfully issued.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement ten acres, more or less, being the Cemetery Reserve, Town of Wakefield, and bounded as follows: towards the north-east by Block II, Wake-

field Survey District, 1000 links; towards the south-east, 1000 links; and towards the south-west, 1000 links, by the said Block II; and towards the north-west by Town of Wakefield, 1000 links: be all the aforesaid linkages more or less.

- (4) The land to which subsection two hereof relates is particularly described as—

Firstly, all that area in the Otago Land District situated in Block II, Wakefield Survey District, containing five acres one rood twenty perches, more or less, being part of the land described in subsection three hereof, now comprised in certificate of title dated the eighth day of March, eighteen hundred and eighty-nine, and registered in Volume 87, folio 263, Otago Registry: as the same is more particularly delineated on plan marked L and S 2/524, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red:

Secondly, all that area in the Otago Land District situated in Block II, Wakefield Survey District, containing four acres two roods twenty perches, more or less, being part of the land described in subsection three hereof, now comprised in renewable lease dated the ninth day of June, nineteen hundred and eight, and registered in Volume 167, folio 72, Otago Registry: as the same is more particularly delineated on plan marked L and S 2/524, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged green.

19 Authorizing the sale to the Otago Harbour Board of railway wharves at Port Chalmers

Whereas negotiations have taken place between the Minister of Railways (hereinafter referred to as the Minister) and the Otago Harbour Board (hereinafter referred to as the Board) for the transfer to the Board of the three railway wharves at Port Chalmers, and of certain land adjacent thereto, together with the buildings and other erections thereon, in consideration of the payment by the Board of the sum of thirty thousand dol-

lars and the transfer to the Crown of certain land vested in the Board: And whereas the lands hereinbefore referred to have not been ascertained by survey, and it is desirable that the Minister and the Board be respectively empowered to complete the proposed sale, purchase, and exchange so soon as such lands have been defined and a survey plan thereof has been made and has been approved by the Minister and the Board: Be it therefore enacted as follows:—

- (1) In consideration of the payment by the Board of the sum of thirty thousand dollars and of the transfer to the Crown of certain land the property of the Board, the Minister is hereby empowered to sell to the Board the three railway wharves at Port Chalmers, together with certain land adjacent thereto, and the buildings and other erections thereon. The Board is hereby likewise empowered to accept the said wharves and other property, and in consideration therefor to pay the aforesaid sum to the Crown, and to transfer to the Crown the land hereinbefore referred to.
- (2) The lands to be transferred to the Board and to the Crown respectively shall be ascertained by survey, and recorded on a survey plan to be approved by the Minister and the Board before the transaction hereinbefore authorized is completed.
- (3) The land to be transferred to the Board shall continue to be subject to all existing leases and other interests affecting the same at the date of transfer, and shall be held by the Board in trust for harbour purposes. References in any such lease to the Minister of Railways, or to any nominated officer of the Railway Department, or to the servants or workmen employed by the Railway Department, shall hereafter, so far as the circumstances may require, be read as references to the Board, its officers, or servants; but nothing herein shall limit or prejudicially affect the rights of the lessee under any such lease.
- (4) The land to be transferred to the Crown shall be held for the purposes of the New Zealand Railways Department.
- (5) Any transfer of property pursuant to this section shall be deemed to take effect or to have taken effect as from

such date, whether before or after the actual date of transfer, as the parties may agree upon in that behalf, and any adjustment as between the parties shall be made as at the said date.

The expression “thirty thousand dollars” was substituted, as from 10 July 1967, for the expression “fifteen thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

20 Cancelling reservation as scenic reserve over Section 21, Block VIII, Rankleburn Survey District, and setting it apart as a State forest

Whereas the land hereinafter described was by Proclamation published in the *Gazette* of the twenty-sixth day of May, nineteen hundred and ten, declared to be a scenic reserve, and such land is now subject to the provisions of the Scenery Preservation Act 1908: And whereas it is desirable that the said land should be set apart as a State forest subject to the provisions of the Forests Act 1921-22: Be it therefore enacted as follows:—

- (1) The reservation as a scenic reserve over the land hereinafter described is hereby cancelled, and the said land is hereby set apart as a State forest subject to the provisions of the Forests Act 1921-22.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement five hundred and four acres, more or less, being Section 21, Block VIII, Rankleburn Survey District: as the same is described in Proclamation dated the nineteenth day of May, nineteen hundred and ten, and published in the *Gazette* of the twenty-sixth day of that month.

Schedule
Reserves made available for disposal
under the Land Act 1924

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
<i>North Auckland Land District</i>			
1	North-eastern portion 26, Whakahara Parish, containing 48 acres 2 roods 29 perches.	Cemetery	Warrant dated 13th February, 1892, and published in <i>Gazette</i> of 18th February, 1892.
<i>Auckland Land District</i>			
2	Section 10, Block V, Puniu Survey District, containing 4 acres 1 rood 20 perches	Site for a public cemetery	Warrant dated 22nd October, 1910, and published in <i>Gazette</i> of 27th October, 1910
<i>Taranaki Land District</i>			
3	Subdivision 1 of Section 19, Block I, Mahoe Survey District, containing 16 acres 1 rood 3 perches	Scenic purposes	Proclamation dated 13th November, 1914, and published in <i>Gazette</i> of 19th November 1914.
4	Section 49, Pihama Village, containing 3 acres 3 roods 20 perches	Paddock for use of Stock Department	Warrant dated 26th April, 1901, and published in <i>Gazette</i> of 2nd May, 1901.

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
<i>Marlborough Land District</i>			
5	Section 30A, Block I, Wakamarina Survey District, containing 1 rood	Site for a post-office	Warrant dated 19th February, 1909, and published, 1909, and published in <i>Gazette</i> of 25th February, 1909.
<i>Nelson Land District</i>			
6	Section 33, Block XII, Kaiteriteri Survey District, containing 39 acres 3 roods 16 perches	Public recreation	Warrant dated 19th July, 1897, and published in <i>Gazette</i> of 22nd July, 1897.
<i>Westland Land District</i>			
7	Reserve 137, Block XV, Waimea Survey District, containing 3 acres	Cemetery purposes	Warrant dated 2nd May, 1876, and published in <i>Gazette</i> of 11th May, 1876.

Canterbury Land District

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
8	Reserve 952, Borough of Waimate, containing 2 roods 37 perches, being Sections 312, 313, and 314, Township of Waimate	Site for public buildings or other purposes of the General Government	Order in Council dated 7th January, 1869, and published in <i>Gazette</i> of 20th January, 1869.
9	Reserve 781, Borough of Waimate, containing 1 acre 2 roods 19 perches, being Sections 159, 160, 161, 186, 187 and 188, Township of Waimate; and Reserve 782, Borough of Waimate, containing 3 roods 38 perches, being Sections 271, 272, 273, and 274 Township of Waimate	Provincial Government purposes	Notice dated 8th June, 1865, and published in Canterbury Provincial Gazette of 15th June, 1865.

Canterbury Land District

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
10	Reserve 948, Borough of Temuka, containing 1 acre 13 perches, and comprising Sections 11, 12, 14, 16, and 18 in the Township of Arowhenua; and Reserve 949, Borough of Temuka, containing 3 roods, and comprising Sections 179, 181 and 183 in the Township of Arowhenua	Site for public buildings or other purposes of the General Government	Order in Council dated 7th January, 1869, and published in <i>Gazette</i> of 20th January, 1869.
11	All that area in the Canterbury Land District containing by admeasurement 69 acres and 12 perches, more or less, and being part of Reserve 2014, situated in Block XIII, Tekapo Survey District, and bounded as follows: Towards the	Police purposes	Warrant dated 11th October, 1877, and published in <i>Gazette</i> of 11th October, 1877.

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
	<p>north-east by the Mackenzie Country Road, 1084.1 and 928.8 links; towards the south-east by Reserve 3864, 2911.2 links; towards the south-west by Crown land, 2500 links; towards the north-west by Reserve 180, 309.3 links; again towards the north-east and again towards the north-west by Burke Street, Tekapo Village, 109.8, 1890.9, and 984 links: as the same is more particularly delineated on the plan marked L and S 51677, deposited in Head Office, Department of Lands and Survey at</p>		

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
	Wellington, and thereon bordered red		
<i>Otago Land District.</i>			
12	Sections 36, 37, 38, and 39, Village of Komako, containing 25 acres 1 rood and 12 perches	For use of the Department of Agriculture	Warrant dated 17th December, 1898, and published in <i>Gazette</i> of 20th December, 1898.
<i>Southland Land District.</i>			
13	Section 15, Block I, Kingston Survey District, containing 9 acres	Public cemetery for the interment of the dead	Cemeteries Ordinance, 1865 (Otago), and Crown grant to the Superintendent of the Province of Otago, dated 29th June, 1870.
14	Sections 13, 14, 15, and 16, Block XXII; Sections 12, 15, 16, and 17, Block XXIII; Sections 11,12,13,14, and 15, Block XXIV; Sections 5, 6, 7, 8, 9, 10, 11, and, 13 Block XXV, Town	Rifle range	Warrant dated 17th September, 1891, and published in <i>Gazette</i> of 24th September, 1891.

No	Description of Land	Purpose for which Land Reserved	Instrument of Reservation
15	of Riverton, containing 5 acres 1 rood Section 3, Block V, Town of Fortrose, containing 1 rood	Post and telegraph purposes	Warrant dated 1st August, 1889, and published in the <i>Gazette</i> of 8th August, 1889.
16	Section 1, Block V, Town of Fortrose, containing 36 perches, and Section 45, Block IV, Town of Fortrose, containing 4 acres 1 rood	Police purposes	Warrant dated 1st August, 1889, and published in <i>Gazette</i> of 8th August, 1889.
17	Section 11, Block XXXII, Limehills Township, containing 9 acres 2 roods 30 perches	Public recreation-ground	Warrant dated 21st February, 1902, and published in <i>Gazette</i> of 27th February, 1902.