

[AS REPORTED FROM THE MANGERE LAWN CEMETERY
(ENLARGEMENT) BILL COMMITTEE]

House of Representatives, 1 October 1981.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

Mr Lange

**MANGERE LAWN CEMETERY ((ENLARGEMENT))
TRUSTEES EMPOWERING**

[PRIVATE]

ANALYSIS

Title
Preamble
1. Short Title

2. Power to acquire land
3. Trustees may borrow and mortgage
4. Private Act

A BILL INTITULED

An Act to empower the Trustees of the Mangere Lawn Cemetery to acquire land to extend the boundaries of the Mangere Lawn Cemetery and for related purposes

- 5 WHEREAS there is (*and there has been situate*) situated within the City of Manukau Crown land described as cemetery reserve (*on Crown Land Plan 5735*) and known as the Mangere Lawn Cemetery, being the land described in the Schedule hereto (hereinafter referred to as the
- 10 Cemetery): And whereas the Cemetery is and has been maintained and controlled by Trustees (hereinafter called the Trustees) pursuant to Part III of the Burial and Cremation Act 1964: And whereas there are now few plots within the Cemetery that are available for burial so that
- 15 unless it is extended, the Cemetery will have to be closed within the foreseeable future: And whereas the Trustees desire to extend the boundaries of the Cemetery so as to

permit the continuing provision of burial plots avoiding the need to establish a new cemetery further from the centre of the population of Auckland: And whereas the Trustees are empowered under Part III of the Burial and Cremation Act 1964 (*and its amendments*) neither to acquire land for the purpose of extending the boundaries of the Cemetery nor to use trust property for the acquisition of such land: And whereas the boundaries of the Cemetery may be extended only by the setting apart, dedication, reservation, or acquisition of land for the purposes of a cemetery under the provisions of any Act other than the Burial and Cremation Act 1964 (*and its amendments*):

BE IT THEREFORE 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 Mangere Lawn Cemetery (*(Enlargement)*) Trustees Empowering Act 1981.

2. Power to acquire land—(1) (*The*) Subject to the Burial and Cremation Act 1964 and the Town and Country Planning Act 1977, the Trustees of the Mangere Lawn Cemetery are hereby authorised and empowered from time to time, out of any money held by them by exchange, purchase, gift, lease, or otherwise howsoever to acquire (*any land for the purposes of a cemetery*) for the purposes of a cemetery, and to establish a cemetery on, any land that in the opinion of the Trustees is—

- (a) Conveniently close to the Cemetery; and
- (b) Suitable to be used as part of, or in conjunction with, the Cemetery.

(2) If the boundaries of the Cemetery are extended by the acquisition of land pursuant to this section, the Trustees of the Cemetery immediately before such extension shall be Trustees of the Cemetery as so extended without any further appointment.

3. Trustees may borrow and mortgage—The Trustees may from time to time to enable the exercise of any of their

powers, borrow such sum or sums of money, and upon and subject to such terms, and conditions, as they think fit and may for that purpose mortgage or charge any land or property for the time being vested in them.

- 5 4. **Private Act**—This Act is a private Act.

New

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—MANUKAU CITY

6.4041 hectares, more or less, being Allotment 45, Suburbs of Mangere, situated in Block V, Otahuhu Survey District. Part *Gazette*, 1890, Volume 2, page 897. Survey Office Plan 5735.