

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]  
*House of Representatives, 8th May, 1936.*

[AS REPORTED FROM THE LANDS COMMITTEE.]  
*House of Representatives, 21st May, 1936.*

[Amendments made by Lands Committee are shown  
with double bar or light rule underneath.]

*Mr. Smith.*

NEW PLYMOUTH BOROUGH LAND EXCHANGE  
AND EMPOWERING.

[LOCAL BILL.]

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Preamble.	
1. Short Title.	5. Application of equality of exchange.
2. Lands vested in New Plymouth Harbour Board.	6. Section 2 of the New Plymouth Borough Council and New Plymouth Harbour Board Empowering Act, 1933, amended.
3. Lands vested in the Corporation of the Borough of New Plymouth.	7. Power to lease portion of Pukekura Park.
4. Harbour Board to pay equality of exchange.	Schedules.

A BILL INTITULED

AN ACT to effect an Exchange of certain Lands between the Corporation of the Borough of New Plymouth and the New Plymouth Harbour Board; *and* to amend the New Plymouth Borough Council and New Plymouth Harbour Board Empowering Act, 1933;

Title.

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*Struck out.*

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and to authorize the New Plymouth Borough Council to lease certain Lands vested in the Corporation for the Purpose of a Recreation Reserve and no longer required for that Purpose.

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WHEREAS the Corporation of the Mayor, Councillors, and Burgesses of the Borough of New Plymouth (hereinafter referred to as the Corporation) is the owner of the lands described in the *First* Schedule hereto: And whereas the New Plymouth Harbour Board (hereinafter referred to as the Board) is the owner of the lands described in the *Second* Schedule hereto: And whereas

Preamble.

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it is for the mutual advantage of the Corporation and the Board that the exchange of the said lands authorized by this Act should be effected: And whereas by the New Plymouth Borough Council and New Plymouth Harbour Board Empowering Act, 1933, any by-laws of the New Plymouth Borough Council (hereinafter referred to as the Council) capable of being applied to recreation reserves were under conditions specified in such Act made to extend and apply to any domain of which the Council is the Domain Board or controlling authority: And whereas it is expedient that such conditions should be amended:

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And whereas the lands described in the *Third* Schedule hereto are amongst others vested in the Corporation as a recreation reserve and form part of Pukekura Park: And whereas the said lands are no longer required for the purpose of public recreation and it is expedient that the Council should be empowered to lease the same:

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 New Plymouth Borough Land Exchange and Empowering Act, 1936. 25

Lands vested in New Plymouth Harbour Board.

2. (1) The lands described in the *First* Schedule hereto (being lands heretofore vested in the Corporation) are hereby vested in the Board in fee-simple subject to memorandum of lease registered Number 14253, but otherwise free from the trusts and reservations heretofore affecting them, and shall be held by the Board as an endowment for the provision of funds for the construction and maintenance of "harbour-works" (as defined by the Harbours Act, 1923) at the Port of New Plymouth. 30 35

(2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized to make such entries in the registers as are necessary to give effect to the provisions of this section.

Lands vested in the Corporation of the Borough of New Plymouth.

3. (1) The lands described in the *Second* Schedule hereto (being lands heretofore vested in the Board) are hereby vested in the Corporation in fee-simple free from the trusts and reservations heretofore affecting them, and shall be held by the Corporation for the purposes of a recreation-ground. 40 45

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(2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorized to make such entries in the register as are necessary to give effect to the provisions of this section.

5     4. Forthwith after the passing of this Act the Board shall pay to the Council the sum of two hundred pounds by way of equality of the exchange effected by this Act, and until paid the said sum shall be deemed to be a debt due by the Board to the Corporation, and shall  
10 be recoverable in any Court of competent jurisdiction accordingly.

Harbour Board to pay equality of exchange.

15     5. The said sum of two hundred pounds may be applied by the Council either to the purchase of lands to be held by the Corporation for the purposes of public recreation or to the improvement of reserves now or hereafter vested in the Corporation for the purposes aforesaid.

Application of equality of exchange.

20     6. Section two of the New Plymouth Borough Council and New Plymouth Harbour Board Empowering Act, 1933, is hereby amended by omitting from the first proviso the words "and published in accordance with the requirements of section fifty-six of the Public Reserves, Domains, and National Parks Act, 1928".

Section 2 of the New Plymouth Borough Council and New Plymouth Harbour Board Empowering Act, 1933, amended.

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25     7. Notwithstanding anything to the contrary in any Act, and in addition to any powers conferred on the Council by any other Act, the Council may let the lands described in the *Third* Schedule hereto, or any part thereof, in the manner provided by the Public Bodies' Leases Act, 1908.  
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Power to lease portion of Pukekura Park.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that piece or parcel of land situate in the Land District of Taranaki, containing 115 acres, be the same a little more or less, being Allotment 8 on Deposited Plan No. 141, and being part of Section 1, Block III, on the public maps of Ngaere Survey District, and being part of the land comprised in certificate of title, Volume 110, folio 114, Taranaki Registry: Subject to memorandum of lease registered No. 14253—The Mayor, Councillors, and Burgesses of the Borough of New Plymouth to John Preston Bonner.

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Empowering*

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SECOND SCHEDULE.

ALL that piece or parcel of land situate in the Land District of Taranaki, containing 42 acres 3 roods 20 perches, be the same a little more or less, being Section 97 (formerly "H" Harbour Reserve) on the public maps of Fitzroy District (Block V, Paritutu Survey District), the said piece of land being more particularly delineated upon the plan deposited in the Lands and Survey Office at New Plymouth as No. 7510 (81/45) and thereon edged pink.

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THIRD SCHEDULE.

ALL that piece or parcel of land situate in the Borough of New Plymouth, containing 2 roods ~~23.35~~ 20.3 perches, be the same a little more or less, being *part of* Section 2346 and parts of Sections 1140 and 1180, and part of Town Allotment "L", all in the Town of New Plymouth, and being ~~the whole~~ *part* of the land shown on plan deposited in the Land Transfer Office at New Plymouth as No. 5568, and being part of the land comprised in certificate of title, Volume 47, folio 19, and limited certificate of title, Volume 127, folio 10, Taranaki Registry.