

[AS REPORTED FROM THE LANDS COMMITTEE.]  
*House of Representatives, 14th September, 1938.*

*Hon. Mr. Langstone.*

RESERVES AND OTHER LANDS DISPOSAL.

Title.	ANALYSIS.
1. Short Title.	9. Authorizing issue of new lease of Lot 12, D.P. 8673, Wellington Registry, without payment of present value of lessors' reversionary interest in certain improvements.
2. Authorizing the grant of additional land to the registered proprietors of Allotment 68, Parish of Waikomiti, North Auckland Land District, as compensation for a shortage in area.	10. Section 26 of the Reserves and other Lands Disposal Act, 1933, repealed.
3. Defining the status of certain lands in Kopuru Parish, North Auckland Land District.	11. Validating sale and purchase of Flock House Station.
4. Validating a Warrant and Orders in Council relating to Allotment 142, Kopuru Parish, North Auckland Land District.	12. Abolishing the Moumahaki and Weraroa Endowments. Repeals.
5. Revoking the reservation over and the vesting of part Allotment 15, Karioi Parish, Auckland Land District, and redescribing and again reserving the said allotment and re-vesting portion thereof in the Raglan County Council. Repeals.	13. Making sections 359 and 360 of the Land Act, 1924, applicable to the Buller Coal Field and the Westport Colliery Reserves.
6. Section 9 of the Reserves and other Lands Disposal Act, 1937, amended.	14. Cancelling the reservation over portion of the Kopuru Domain and authorizing the disposal thereof.
7. Cancelling the reservation over certain education endowment lands in Auckland Land District and setting them apart as permanent State forest.	15. Revesting in the Union Bank of Australia certain land in City of Christchurch.
8. Vesting Section 451, Town of Hamilton West, in the Waikato Diocesan Trust Board.	16. Validating an advance granted by the Lands Development Board.
	17. Authorizing the Waiuku Town Board to expend the revenue from certain land in managing, administering, and improving the Massey Park Domain and other land set apart for recreation purposes, and under the control of the Board.

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| <p>18. Extending the leasing powers of the Waihi Borough Council in respect of certain lands in the Waihi Beach Township, and declaring certain other lands in the said township to be recreation reserves.</p> <p>19. Validating an agreement between the Waikato Land Settlement Society, Incorporated, and the Crown. Repeal.</p> <p>20. Dissolving body corporate known as Queenstown Racecourse Trustees, and transferring their assets and liabilities to Frankton Aerodrome Board. Repeal.</p> <p>21. Restriction on construction of drains, &amp;c., likely to endanger Tarawera River improvement-works.</p> <p>22. Validating a burial in private ground and providing for the setting aside of private burial-grounds for the Burnett family.</p> <p>23. Validating a certain payment by the Waikawa Domain Board.</p> <p>24. Authorizing trustees of will of late Sir John Logan Campbell to expend certain trust funds.</p> <p>25. Validating payments made by the Woodend Domain Board.</p> <p>26. Providing for the care, management, and protection of the national park areas along Te Anau—Milford Sound Road.</p> <p>27. Authorizing an exchange of lands between His Majesty and Auckland City Council, and validating a transfer of land to the Council. Repeal.</p> <p>28. Validating the borrowing of certain moneys by the West-shore Domain Board, and validating payments of interest and repayment of principal.</p> | <p>29. Validating the borrowing of certain moneys by the South Egmont Local Committee of the Egmont National Park Board, and validating past payments and empowering future payments of principal and interest.</p> <p>30. Validating certain payments by the Brighton Domain Board.</p> <p>31. Authorizing the Minister of Public Works to construct the Lake Forsyth outlet to the sea and provisions incidental thereto.</p> <p>32. Providing for the transfer to Gisborne Land Registry of certificates of title wrongly registered in Hawke's Bay Registry.</p> <p>33. Declaring Crown land on Farewell Spit a reserve for the preservation of flora and fauna, authorizing the reservation as a sanctuary of areas below high-water mark in the vicinity, and providing for the care and protection of all the same.</p> <p>34. Vesting land fronting Wellington Railway-station in the Corporation of the City of Wellington for street purposes.</p> <p>35. Special provision for application of proceeds from sale of trees on the Okotuku Domain.</p> <p>36. Vesting Section 13, Block XIV, Town of Manaia, in His Majesty as an addition to the Manaia Domain.</p> <p>37. Authorizing the Wellington City Council to use portion of the Town Belt for a motor camp.</p> |
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### A BILL INTITULED

Title.

AN ACT to provide for the Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, to validate certain Transactions, and to make Provision in respect of certain other Matters. 5

BE IT 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 Reserves and other Lands Disposal Act, 1938. 10

2. Whereas the original survey of Allotment 68, Parish of Waikomiti, North Auckland Land District, showed the area of that allotment to be forty acres, and a Crown grant of the allotment based on the said survey was made on the twelfth day of October, eighteen hundred and fifty-seven: And whereas more recent surveys disclose the correct area of the allotment to be twenty-five acres two roods and twenty-five perches, and it is equitable that the registered proprietors of the allotment should be compensated in respect of the error so made: And whereas the said registered proprietors have agreed to accept eleven acres one rood and twenty-nine perches of Crown land hereinafter described as full compensation, and it is expedient that authority should be given accordingly: Be it therefore enacted as follows:—

Authorizing the grant of additional land to the registered proprietors of Allotment 68, Parish of Waikomiti, North Auckland Land District, as compensation for a shortage in area.

(1) The land described in subsection *two* hereof is hereby vested for an estate in fee-simple in the registered proprietors of the said Allotment 68 in full compensation in respect of the survey error hereinbefore referred to, and the District Land Registrar at Auckland, upon application made to him in that behalf by the Chief Surveyor at Auckland, is hereby empowered and directed to issue, free of charge, to the said registered proprietors a certificate of title for the said land.

(2) The Crown land to which this section relates is particularly described as follows:—

All those areas in the said Parish of Waikomiti, being firstly, portion of Allotment 69, containing seven acres and five perches, and, secondly, Allotment 389, containing four acres one rood and twenty-four perches: as the same are shown respectively on plans numbered 23151 and 21731 deposited in the Office of the Chief Surveyor at Auckland.

3. Whereas by Proclamation published in the *Auckland Provincial Government Gazette* of the eighth day of June, eighteen hundred and seventy, Lot 4 of Allotment 2, and Allotment 50, Parish of Kopuru, were reserved for the purposes of common-school education within the Province of Auckland, and by notice published in the *Gazette* of the sixteenth day of December, eighteen hundred and seventy-eight, the said reserves were apportioned for the purposes of secondary and primary education respectively: And whereas by Proclamation

Defining the status of certain lands in Kopuru Parish, North Auckland Land District.

published in the *Gazette* of the twenty-fourth day of March, eighteen hundred and ninety-eight, certain lands which were in fact the said Lot 4 of Allotment 2, part of the said Allotment 50, part of a public road, and certain Crown land, being Lot 5 of Allotment 2, Parish of Kopuru, but which were described as Allotment 50 of the said parish, were purported to have been reserved as an endowment for primary education: And whereas, on the eleventh day of November, nineteen hundred and eight, certificate of title, Volume 154, folio 91, Auckland Registry, was issued to the School Commissioners of the Province of Auckland for portion of the area so purported to have been reserved: And whereas the land comprised in the said certificate of title was subdivided, and by Warrant published in the *Gazette* of the twentieth day of March, nineteen hundred and twenty-four, the reservation so purported to have been made was purported to have been cancelled over one of such subdivisions described as Lot 22 of Allotment 50, Parish of Kopuru, and Allotment 125, Parish of Kopuru, was purported to have been reserved as an endowment for primary education in lieu thereof: And whereas the said Lot 22 was subsequently purported to have been reserved for recreation purposes, and by Order in Council published in the *Gazette* of the twenty-second day of October, nineteen hundred and twenty-five, was purported to have been added to the Kopuru Town Domain: And whereas there are at present two areas described as Allotment 2, Parish of Kopuru, and it is deemed advisable to renumber the said Lots 4 and 5, and to redescribe the said Lot 22: And whereas it is also desirable to revoke the Proclamation secondly above mentioned and to define the status of certain lands: Be it therefore enacted as follows:—

(1) The said Proclamation published in the *Gazette* of the twenty-fourth day of March, eighteen hundred and ninety-eight, is hereby revoked.

(2) The said Lots 4 and 5 and the said Lot 22 shall hereafter be known as Allotments 149, 150, and Lot 22, D.P. 17979, of Allotment 149, Parish of Kopuru, respectively.

(3) The said Lot 22 is hereby declared to be a reserve for public recreation and to have formed part of the Kopuru Town Domain since the twenty-second day of October, nineteen hundred and twenty-five.

(4) The said Allotments 125 and 150 are hereby reserved as endowments for secondary education and shall be deemed to have been so reserved since the twelfth day of March, nineteen hundred and twenty-four, and the

5 eighteenth day of March, eighteen hundred and ninety-eight, respectively.

(5) The District Land Registrar at Auckland is hereby empowered and directed to cancel certificates of title, Volume 154, folio 91, and Volume 629, folio 263, Auckland

10 Registry, and to issue separate certificates of title for Allotments 149, 150, and 50, Parish of Kopuru, as the same are shown on a plan deposited in the office of the Chief Surveyor at Auckland under Number 29481, and to do all other things necessary to give effect to the

15 provisions of this section.

4. Whereas by Proclamation published in the *Auckland Provincial Government Gazette* of the eighth day of June, eighteen hundred and seventy, Allotment 50, Parish of Kopuru, was reserved for the purposes of common-school

20 education within the Province of Auckland, and by notice published in the *Gazette* of the sixteenth day of December, eighteen hundred and seventy-eight, the said reserve was apportioned for the purposes of primary education: And whereas by Warrant published in the

25 *Gazette* of the fifteenth day of June, eighteen hundred and ninety-three, a portion (now known as Allotment 142, Parish of Kopuru) of the said Allotment 50 was purported to have been reserved for public recreation, and by Orders in Council published in the *Gazette* of

30 the twenty-seventh day of July, eighteen hundred and ninety-three, the land so reserved was declared to be subject to the Public Domains Act, 1881, and powers were delegated to the Chairman, Councillors, and Inhabitants of the Hobson County as the Kopuru Town Domain

35 Board: And whereas there was no authority for the reservation of the said Allotment 142 for public recreation, and it is deemed expedient to validate the said Warrant and the said Orders in Council: Be it therefore enacted as follows:—

40 The said Warrant in so far as it relates to Allotment 142, Parish of Kopuru, and the said Orders in Council are hereby validated and declared to have been lawfully made, and the District Land Registrar at Auckland is

Validating  
a Warrant  
and Orders  
in Council  
relating to  
Allotment 142,  
Kopuru Parish,  
North Auckland  
Land District.

hereby empowered and directed to make such entries, alterations, and amendments in and to his records, and to do all other things necessary to give effect to the provisions of this section.

5. Whereas notices published in the *Gazette* of the eleventh day of January, eighteen hundred and eighty-three, and of the twenty-second day of February of that year, set out respectively the temporary and permanent reservations of Allotment 15, Parish of Auckland Land District, for the purposes of a pilot and signal station: And whereas by Order in Council made under the authority of section fifteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1914, and published in the *Gazette* of the fourth day of March, nineteen hundred and fifteen, part of the said allotment was vested in the Raglan County Council: And whereas by Proclamation published in the *Gazette* of the third day of July, nineteen hundred and twenty-four, an area of seventeen perches and three-tenths of a perch, being part of the said allotment, was erroneously regarded as road and purported to have been closed, and by section fifty-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, was purported to have been added to the said allotment: And whereas a new survey, as shown on a plan numbered 24725 in the office of the District Land Registrar at Auckland, discloses that the area of the said allotment was erroneously shown in earlier surveys and it is desirable to revoke the said temporary and permanent reservations, the said Order in Council, and, in so far as it affects the said area of seventeen perches and three-tenths of a perch, the said Proclamation, and to repeal the said sections fifteen and fifty-nine, and to redescribe and again reserve the said allotment and re-vest portion thereof in the said County Council as from the date of the original vesting: Be it therefore enacted as follows:—

(1) The said temporary and permanent reservations, the said Order in Council, and, in so far as it relates to the said area of seventeen perches and three-tenths of a perch, the said Proclamation are hereby revoked.

(2) The said allotment as described in subsection *six* hereof is hereby reserved for the purposes of a pilot and signal station subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928, and

Revoking the reservation over and the vesting of part Allotment 15, Karioi Parish, Auckland Land District, and redescribing and again reserving the said allotment and re-vesting portion thereof in the Raglan County Council. 1914, No. 70

1924, No. 55

shall be deemed to have been so reserved since the twenty-second day of February, eighteen hundred and eighty-three.

5 (3) The portion of the said allotment described in subsection *seven* hereof is hereby vested in the Raglan County Council in trust for the said purposes and shall be deemed to have been so vested since the fourth day of March, nineteen hundred and fifteen :

10 Provided that if at any time a Harbour Board is constituted to control the Whaingaroa Harbour the said land shall be deemed to be vested in the Board in trust for the said purposes.

15 (4) The District Land Registrar and Chief Surveyor at Auckland are hereby empowered and directed to make such entries, alterations, and amendments in and to their records, and to do all other things necessary to give effect to the provisions of this section.

20 (5) Section fifteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1914, and section fifty-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, are hereby Repeals. consequentially repealed.

(6) The land to which subsection *two* relates is particularly described as follows :—

25 All that area in the Auckland Land District, Raglan County, containing by admeasurement two hundred and fifty-six acres two roods twelve perches and one-tenth of a perch, and being Allotment 15, Karioi Parish : as the same is more particularly delineated on a plan  
30 numbered 29126, and deposited in the office of the Chief Surveyor at Auckland, and therein edged red.

(7) The land to which subsection *three* relates is particularly described as follows :—

35 All that area in the Auckland Land District, Raglan County, containing by admeasurement two hundred and forty-nine acres two roods twelve perches and one-tenth of a perch, more or less, being part Allotment 15, Karioi Parish, bounded as follows : on the north-east generally by part Te Kopua Block, Section 15A, Block I,  
40 Karioi Survey District, and the Te Tarata Creek ; on the south-east by a public road, Allotment 170, Karioi Parish, by a public road, by Lot 2, Deposited Plan 13913, being Allotment 4A and part Allotment 4, Karioi Parish, and again by a public road ; on the south-west by Allotment  
45 N 14, Karioi Parish ; and on the north-west by other

part Allotment 15, Karioi Parish, which portion consists of a strip one chain wide above mean high-water mark of the Tasman Sea: as the same is more particularly delineated on a plan marked L. and S. 6/1/56, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. 5

Section 9 of  
the Reserves  
and other Lands  
Disposal Act,  
1937, amended.  
1937, No. 39

6. Section nine of the Reserves and other Lands Disposal Act, 1937, is hereby amended as from the date of the passing of that Act by omitting the description set forth in subsection three thereof, and substituting the following description:— 10

All that area in the Auckland Land District, Piako County, containing by admeasurement nineteen hundred and six acres two roods twenty-six perches, more or less, being Lots 1, 2, 3, 4, and 7 on a plan numbered 2170, deposited in the office of the District Land Registrar at Auckland, and being portion of Section 2, Block VIII, Waitoa Survey District, and part of the eastern portion of Te Tautiti Number 1 Block, and portion of Wharekahu, Kahamiroi, Ruahine Numbers 1 and 2, Ahikoape Number 1, and Totarapapa Blocks, and being the whole of the land comprised in certificate of title, Volume 477, folio 122, Auckland Registry, together with a strip of land lying between the south-western boundaries of Lots 1 and 2 aforesaid and the north-eastern boundary of Lot 7 aforesaid, such strip of land being shown as a road on Plan 2170 aforesaid, and being portion of Section 2, Block VIII, Waitoa Survey District, contained in certificate of title, Volume 92, folio 171, Auckland Registry, and part of the eastern portion of Te Tautiti Number 1 Block contained in certificate of title, Volume 20, folio 38, Auckland Registry: as the same is more particularly delineated on a plan marked L. and S. 58282A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 15 20 25 30 35

Cancelling the reservation over certain education endowment lands in Auckland Land District, and setting them apart as permanent State forest.

See Reprint of Statutes, Vol. IV, p. 1003

7. Whereas the lands hereinafter described are reserved as endowments for primary education: And whereas the said lands are not suitable for farming purposes, and it is therefore not expedient that they should be leased under the provisions of the Education Reserves Act, 1928: And whereas the said lands are situated between various areas which have been set apart as permanent State forests: And whereas it is desirable 40



that the said lands should be brought under the provisions of the Forests Act, 1921-22, so that they may be administered and dealt with in all respects as permanent State forest: Be it therefore enacted as follows:—

See Reprint  
of Statutes,  
Vol. III, p. 425

5 (1) The reservation as endowments for primary education over the lands hereinafter described is hereby cancelled, and the said lands are hereby set apart as permanent State forest under and subject to the provisions of the Forests Act, 1921-22.

10 (2) The lands to which this section relates are described as follows:—

All those lands situated in the Auckland Land District, being firstly, Section 1A, Block X, Waihi South Survey District, containing an area of two thousand and twenty  
15 acres, more or less, being the whole of the land comprised in certificate of title, Volume 155, folio 155, Auckland Registry; and Section 1, Block XI, Waihi South Survey District, containing an area of sixteen hundred and thirty  
20 acres, more or less, being the whole of the land comprised in certificate of title, Volume 381, folio 22, Auckland Registry: as the same are more particularly delineated on the plan marked L. and S. 22/856, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red; and secondly, Section 6,  
25 Block VI, Rotoma Survey District, containing an area of four hundred and four acres three roods and eight een perches, more or less, being the whole of the land comprised in certificate of title, Volume 367, folio 29, Auckland Registry; and Section 9, Block VI, Rotoma Survey Dis-  
30 trict, containing an area of six hundred and three acres, more or less, being the whole of the land comprised in certificate of title, Volume 208, folio 159, Auckland Registry: as the same are more particularly delineated on the plan marked L. and S. 22/856A, deposited in the  
35 Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

8. Whereas Section 451, Town of Hamilton West, Auckland Land District, containing one rood, more or less, is the site of a church erected by the Church of  
40 England: And whereas in the year eighteen hundred and seventy-four an application was made by the church authorities for a Crown grant in respect of the said section, but the application was overlooked: And whereas from

Vesting  
Section 451,  
Town of  
Hamilton West,  
in the Waikato  
Diocesan Trust  
Board.

the year following the said church authorities have remained in undisturbed possession and occupation of the said section: And whereas no title for the said section has ever been issued, and it is deemed equitable that the said section should be vested in the Waikato Diocesan Trust Board: Be it therefore enacted as follows:— 5

The said section is hereby vested in the Waikato Diocesan Trust Board for an estate in fee-simple.

Authorizing  
issue of new  
lease of  
Lot 12,  
D.P. 8673,  
Wellington  
Registry,  
without  
payment of  
present value  
of lessors'  
reversionary  
interest  
in certain  
improvements.

9. Whereas the land hereinafter described is vested in the Governors of the Wellington College and Girls' High School (hereinafter called the lessors) for an estate in fee-simple in trust as an endowment for the said college and school: And whereas the land was leased by the lessors to certain trustees for the Apostolic Church of Wellington (hereinafter called the lessees) for a term of years expiring on the thirty-first day of March, nineteen hundred and fifty-eight: And whereas the lessees, on the acquisition of leasehold rights over the land, were wrongly of opinion that the said rights included perpetual rights of renewal of the lease, and caused a church building to be erected on the land: And whereas the lease includes no right of renewal and the said improvements will revert to the lessors at the termination of the lease: And whereas the lessees desire to surrender the current lease and obtain in lieu thereof a new lease with perpetual rights of renewal, but before a new lease may be granted the lessors are entitled to be paid the present value of their reversionary interest in the improvements: And whereas it is considered equitable that a new lease should be granted without the lessees being required to make or the lessors to demand payment in respect of the said improvements: And whereas the lessors are agreeable and it is expedient that legislative authority should be given accordingly: Be it therefore enacted as follows:— 10 15 20 25 30 35

(1) The lessors may accept a surrender of the current lease over the land hereinafter described and grant a new lease thereof pursuant to the provisions of the Public Bodies' Leases Act, 1908.

See Reprint  
of Statutes,  
Vol. IV,  
p. 1031

(2) Notwithstanding the provisions of any Act or rule of law, the lessees shall not be obliged to pay to the lessors and the lessors shall not be obliged to demand from the lessees the present value of the reversionary interest of the lessors in the said improvements. 40

(3) The land to which this section relates is particularly described as follows :—

5 All that area in the City of Wellington, containing twenty-one perches and eleven-hundredths of a perch, more or less, being part Section 272 on the public map of the Town of Wellington, and being also part of Lot 12 on a plan deposited in the office of the District Land Registrar at Wellington under number 8673, and being  
10 the whole of the land comprised in memorandum of lease numbered 21408 registered in the said office, and being also part of the land comprised in certificate of title, Volume 340, folio 54, Wellington Registry.

10. Section twenty-six of the Reserves and other Lands Disposal Act, 1933, is hereby repealed.

15 11. Whereas by section thirty-two of the Reserves and other Lands Disposal Act, 1936 (hereinafter called the said Act), the trustees of the New Zealand Sheep-owners' Acknowledgment of Debt to British Seamen Fund were authorized and empowered to sell to the Crown  
20 and the Crown was authorized to acquire the land described in subsection four of the said section (known as the Flock House Station) together with any other real or any personal property owned by the said trustees that was used in any way whatsoever in connection with  
25 the said station : And whereas the said land and the live and dead stock and other personal property used in connection with the said station were owned by the New Zealand Sheepowners' Acknowledgment of Debt to British Seamen Fund and not by the trustees of the said  
30 Fund : And whereas the sale and purchase of the said land and of the aforesaid live and dead stock and other personal property has been completed : And whereas it is expedient to validate the said sale and purchase : Be it therefore enacted as follows :—

35 The sale of the land described in subsection four of section thirty-two of the said Act and of the aforesaid live and dead stock and other personal property owned by the New Zealand Sheepowners' Acknowledgment of Debt to British Seamen Fund and the acquisition  
40 thereof on behalf of His Majesty the King are hereby validated.

Section 26 of the Reserves and other Lands Disposal Act, 1933, repealed.  
1933, No. 45  
Validating sale and purchase of Flock House Station.  
1936, No. 49

Abolishing  
the Moumahaki  
and Weraroa  
Endowments.  
1924, No. 55

1928, No. 46

1929, No. 18

See Reprint  
of Statutes,  
Vol. VI,  
p. 1134

Repeals.

Making  
sections 359  
and 360 of the  
Land Act,  
1924, applicable  
to the Buller  
Coal Field and  
the Westport  
Colliery  
Reserves.  
1932, No. 24

12. Whereas by section one hundred and thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, certain land was set apart as an endowment for the purpose of agricultural instruction in districts on the west coast of the Provinces of Taranaki and Wellington: And whereas by section twelve of the Reserves and other Lands Disposal Act, 1928, and section eight of the Reserves and other Lands Disposal Act, 1929, certain lands were set apart as endowments for the purposes of agricultural research, experiment, and instruction: And whereas by an Order in Council made pursuant to subsection four of the said section twelve, and published in the *Gazette* of the thirteenth day of March, nineteen hundred and thirty, certain land set apart under that section was declared to be a public reserve under the Public Reserves, Domains, and National Parks Act, 1928, and does not now comprise part of the endowments so set apart: And whereas it is deemed advisable to revoke the setting-apart as endowments for the purposes above mentioned of the lands comprised in the said endowments and to make provision for the disposal of all proceeds held or accruing from the said endowments: Be it therefore enacted as follows:—

(1) The setting-apart as endowments for the said purposes of the lands described in subsection four of the said section one hundred and thirty, and in subsection five of the said section twelve, and in subsections three and four of the said section eight, excepting thereout the land described in the said Order in Council, is hereby revoked, and the said lands are hereby declared to be freed and discharged from all trusts and reservations heretofore affecting the same.

(2) All proceeds held or accruing from the lands freed and discharged from all trusts and reservations by the *last preceding* subsection shall be disposed of in terms of section twenty of the Land Act, 1924.

(3) Subsection three of the said section one hundred and thirty and subsection three of the said section twelve are hereby consequentially repealed.

13. Notwithstanding anything to the contrary in any Act, the balance of the lands described in the Third and Fourth Schedules to the Westland and Nelson Coal Fields Administration Act, 1877, as amended by the Westland and Nelson Coalfields Administration Act, 1901, and by section seven of the Reserves and other Lands

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Disposal Act, 1932, remaining vested in the Crown and which has not been set apart for any public purpose shall hereafter be deemed, for the purposes of sections three hundred and fifty nine and three hundred and sixty of the

5 Land Act, 1924, to be Crown land :

10 Provided that no part of the land to which this section relates shall be set apart as a reserve under the authority of the said sections three hundred and fifty-nine and three hundred and sixty without the approval of the Minister of Marine.

15 14. Whereas the Kopuru Domain comprises an area of one thousand and eighty-seven acres two roods two perches, more or less, and is controlled by the Hobson County Council acting as a Domain Board pursuant to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928 : And whereas in order to improve the access to the domain the Council has formed a new road, and in connection therewith it will be necessary to proclaim a small portion of the domain  
20 for road purposes together with portion of an adjoining freehold property, being part Lot 9 of Allotment 92, Parish of Kopuru, on a plan deposited in the Land Registry Office at Auckland as Number 261 : And whereas the owner for the time being of the said freehold  
25 property is prepared to consent to part of his property being proclaimed as a road, provided he is allowed to acquire that portion of the domain described in subsection *three* hereof : And whereas the said portion is not required for recreation purposes, and it is considered desirable  
30 to cancel the reservation over such portion and to authorize its disposal to the said adjoining owner : Be it therefore enacted as follows :—

(1) The reservation for recreation purposes over that  
35 portion of the Kopuru Domain described in subsection *three* hereof, the subjection of the said land to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and the vesting of the control of the said land in the Kopuru Domain Board are hereby cancelled.

40 (2) Upon the payment to the Kopuru Domain Board by the owner of the freehold land hereinbefore referred to of such amount as the Minister of Lands may determine, the Governor-General may, by Warrant under his hand, authorize the issue to the said owner of a certificate of  
45 title for the land described in subsection *three* hereof.

See Reprint of Statutes, Vol. IV, p. 359

Cancelling the reservation over portion of the Kopuru Domain and authorizing the disposal thereof.

Ibid., Vol. VI, p. 1148

(3) The land to which subsections *one* and *two* hereof relate is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement seven acres three roods thirty-five perches, more or less, being part Allotment 92, Parish of Kopuru, and being part of the land contained in certificate of title, Volume 74, folio 171, Auckland Registry, and bounded as follows: Towards the north-west by Lot 9, D.P. 261, being part Allotment 92, Parish of Kopuru, bearing  $56^{\circ} 27'$  for a distance of 911.9 links; towards the north-east by other part of the said Allotment 92, bearing  $22^{\circ} 0' 20''$  for a distance of 596.5 links; towards the south-east by Lot 7, D.P. 261, being part Allotment 90, Parish of Kopuru, bearing  $220^{\circ}$  for a distance of 1295.1 links; and towards the south-west by Allotment 141, Parish of Kopuru, bearing  $331^{\circ} 44'$  for a distance of 913.5 links: as the same is more particularly delineated on the plan marked L. and S. 1/264, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (North Auckland Plan 28303).

Revesting  
in the Union  
Bank of  
Australia  
certain land in  
City of  
Christchurch.

15. Whereas by memorandum of transfer registered in the Land Registry Office at Christchurch as number 220187 certain land was transferred by the Union Bank of Australia, Limited, to the Crown: And whereas the land hereinafter described was included in the memorandum of transfer in error, and it is now desired to rectify the error by revesting the land in the bank without payment: Be it therefore enacted as follows:—

(1) The land hereinafter described is hereby vested in the Union Bank of Australia, Limited, and the District Land Registrar at Christchurch is hereby empowered to issue free of charge to the bank a certificate of title for such land together with the balance of the land comprised in certificate of title, Volume 232, folio 37, Canterbury Registry, and to make such amendments to his records and to do such other things as may be necessary to give effect to this section.

(2) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement twenty-seven one-hundredths of a perch, more or less, and being part of

Lot 1, Deposited Plan 11103 (part Town Section 724), situated in the City of Christchurch, and bounded as follows: commencing at a point on the western boundary of Lot 1, Deposited Plan 11103, 62·71 links from the south-  
5 western corner of the said Lot 1, Deposited Plan 11103; thence bounded towards the south, east, and north by other part of Lot 1, Deposited Plan 11103, 1·49 links, 105·3 links, and 1·73 links to the western boundary of Lot 1 of the aforementioned plan; thence returning to  
10 the point of commencement along the said western boundary 105·3 links: as the same is more particularly delineated on the plan marked P.W.D. 100252, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured red.

15 **16.** Notwithstanding the provisions of section seven of the Land Laws Amendment Act, 1929, the action of the Lands Development Board, established by section three of that Act, in authorizing an advance of six hundred pounds to the lessee of Sections 194, 195, and  
20 198, Okura Parish, North Auckland Land District, for the purpose of erecting a dwellinghouse on the said land is hereby validated.

Validating an advance granted by the Lands Development Board.  
See Reprint of Statutes, Vol. IV, p. 834

25 **17.** Whereas Sections 162, 163, and 164, and part of Section 161, Parish of Waiuku East, North Auckland Land District, are vested in the Waiuku Town Board in trust for a public recreation-ground and volunteer drill-ground for the District of Waiuku: And whereas in accordance with the said trust all rents, issues, and profits (hereinafter referred to as revenue) from the said  
30 sections must, after deducting therefrom all necessary expenses of management, be applied in and towards the cultivation and improvement of the said sections: And whereas the revenue is greater than is required for the cultivation and improvement of the said sections, and  
35 the Board desires to be authorized to expend such portions of the said revenue as it from time to time thinks fit towards the management, administration, and improvement of the Massey Park Domain or any other land vested or the control of which is vested in the Board for  
40 public recreation or other similar purposes: And whereas it is considered expedient that such authority should be provided: Be it therefore enacted as follows:—

Authorizing the Waiuku Town Board to expend the revenue from certain land in managing, administering, and improving the Massey Park Domain and other land set apart for recreation purposes, and under the control of the Board.

45 Notwithstanding anything to the contrary in the Waiuku Recreation Reserve Act, 1879, or in any other Act or rule of law, the Waiuku Town Board may from

time to time expend so much of the revenue from the said sections as it thinks fit in and towards the management, administration, and improvement of the Massey Park Domain or of any other land vested or the control of which is vested in the Board in trust for public recreation or other similar purposes. 5

Extending the leasing powers of the Waihi Borough Council in respect of certain lands in the Waihi Beach Township, and declaring certain other lands in the said Township to be recreation reserves. 1922, No. 50

18. Whereas by a Proclamation published in the *Gazette* of the eighteenth day of March, nineteen hundred and twenty, the land described in the Schedule thereto was taken for the purposes of a public recreation and pleasure ground and vested in the Corporation of the Borough of Waihi: And whereas by section seventeen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, the Waihi Borough Council was authorized, subject to the approval of the Minister of Lands, to set aside such portions of the said land as it might think fit and to let the same as building-sites by way of lease for any term not exceeding ten years, and to let for any term not exceeding five years any dwellinghouse then erected on any part of the said land: And whereas it is desirable that provision should be made for the issue of more satisfactory leases over the portions of the said land so set aside for letting as building-sites, and that certain other land as hereinafter described should be held by the said Council as recreation-grounds or pleasure-grounds under the provisions of the Municipal Corporations Act, 1933: Be it therefore enacted as follows:— 10 15 20 25

(1) The land described in subsection *six* hereof, being portions of the land taken by the said Proclamation as aforesaid, is hereby set apart for the purposes of public recreation and pleasure grounds, and shall be held, administered, and controlled by the Waihi Borough Council for such purposes in accordance with the provisions of the Municipal Corporations Act, 1933. 30 35

1933, No. 30

(2) Except as provided by this section, no leases shall be granted by the Council after the passing of this Act of any portion of the land taken by the said Proclamation and not set aside under the *last preceding* subsection under the provisions of section seventeen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922. Leases of any portion of that land for the purposes of building-sites may, however, be offered by the 40



Council for sale by public auction for a term of twenty-one years with a provision in accordance with the First and Second Schedules to the Public Bodies' Leases Act, 1908, that on the expiration of the term the lessee shall  
5 have an option either to accept a renewed lease in accordance with the said First Schedule, or to have a new lease offered for sale by auction in accordance with the said Second Schedule. The upset rent shall be such as the Council may determine, and the Council may require the  
10 purchaser of the lease to pay to the Council or to the previous lessee (if any) the value (to be determined by the Council in such manner as it may think fit) of any buildings, fixtures, or other improvements on the land.

(3) The lessee of any lease granted under the provisions of the said section seventeen may at any time  
15 within three years from the passing of this Act, or not later than three months before the date of expiration of his lease, whichever is the earlier, apply to the Council for leave to surrender his lease and to receive in exchange  
20 therefor a new lease of the whole or of part of the land comprised in the lease proposed to be surrendered. Such new lease shall be for a term of twenty-one years and the lessee shall have the same option as the lessee of a lease granted under the *last preceding* subsection. The  
25 rent reserved under the new lease shall be determined by the Council, but should the lessee object to such rent within thirty days of notice of such determination having been given to him by the Council, then and in every such case the rent shall be determined by valuation made in  
30 accordance with the provisions of paragraphs four to eight of the First Schedule to the Public Bodies' Leases Act, 1908.

(4) Should the lessee of any lease granted under the provisions of the said section seventeen fail to apply  
35 within the time limited by the *last preceding* subsection for leave to surrender his lease and to receive a new lease in exchange therefor in the manner hereinbefore provided, then and in every such case on the expiration by effluxion of time of the term of his lease, the Council may proceed  
40 to offer for sale by public auction a lease of the land concerned for the term and with the provision as set forth in subsection *two* hereof. The upset rent shall be such sum as the Council may determine, and the Council may require the purchaser of the lease to pay to the

Council or to the former lessee the value (to be determined by the Council in such manner as it thinks fit) of any buildings, fixtures, or other improvements on the land.

(5) The provisions of sections six to thirteen of the Public Bodies' Leases Act, 1908, shall, so far as they are consistent with the provisions of this section, apply to any lease granted or sold in accordance with the provisions hereof. 5

(6) The land set apart for the purposes of public recreation and pleasure grounds under the provisions of subsection *one* hereof is particularly described as follows :— 10

All that area in the Auckland Land District in the Borough of Waihi, situated in Block III, Waihi North Survey District, containing by admeasurement thirteen acres two roods eight perches, more or less, being part of Waihi Number 2 Block and part of Waihi Number 3 Block ; bounded towards the west, north-west, and north-east by Lot 1 on Plan Number 22757 deposited in the office of the District Land Registrar at Auckland ; towards the east generally by part of Waihi Number 2 Block and part of Waihi Number 3 Block (Esplanade on D.P. 17197) ; towards the south generally by Waihi Beach Road ; again towards the west generally by Lots 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, and 1 of Block II on Plan Number 17197 deposited as aforesaid ; again towards the south generally by Lot 1 of Block II aforesaid, part of Waihi Number 3 Block and part of Waihi Number 2 Block (The Terrace on D.P. 17197), and Lot 1 of Block I on the aforesaid D.P. 17197 ; again towards the east generally by Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Block I on aforesaid D.P. 17197 ; and again towards the south generally by part of Waihi Number 3 Block (Seaview Road on D.P. 17197). 15  
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Also all that area containing by admeasurement four acres three roods thirty-eight perches, more or less, being part of Waihi Number 3 Block and part of Waihi Number 5 Block : bounded towards the north generally by Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Block IV on Plan Number 17197 deposited in the office of the District Land Registrar at Auckland ; towards the east generally by Waihi Beach Road ; towards the south generally by Lots 32, 31, 30, 29, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, and 16 of Block IV on the aforesaid D.P. 17197 ; and towards the west generally by Lot 1 on Plan Number 22757 deposited as aforesaid. 35  
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Also all that area containing by admeasurement two acres three roods thirty-five perches, more or less, being part of Waihi Number 3 Block and part of Waihi Number 5 Block: bounded towards the west generally  
 5 by Waihi Beach Road, Lots 5 and 4 of Block V on Plan Number 17197 deposited in the office of the District Land Registrar at Auckland, again Waihi Beach Road, and Lots 3, 2, and 1 of Block V on the aforesaid D.P. 17197; towards the north generally by Waihi Beach Road;  
 10 towards the east generally by part of Waihi Number 3 Block and part of Waihi Number 5 Block (Esplanade on D.P. 17197); and towards the south generally by Lots 11, 9, 8, 7, and 6 of Block V on the aforesaid D.P. 17197.

15 Also all that area containing by admeasurement three acres three roods twenty-five perches and four-tenths of a perch, more or less, being part of Waihi Number 5 Block, shown as Lot 60 on Plan Number 26781 lodged in the office of the District Land Registrar at Auckland.

20 Also all that area containing by admeasurement seven acres three roods eleven perches, more or less, being part of Waihi Number 2 Block, part of Waihi Number 3 Block, and part of Waihi Number 5 Block: bounded towards the north-east generally by the sea; towards  
 25 the south generally by Lot 3 on Plan Number 22757 deposited in the office of the District Land Registrar at Auckland; towards the south-west generally by part of Waihi Number 5 Block, part of Waihi Number 3 Block, and part of Waihi Number 2 Block (Esplanade  
 30 on the aforesaid Plan Number 26781 and D.P. 17197); and towards the north generally by Lot 1 on aforesaid D.P. 22757; save and excepting an intersecting public road (Waihi Beach Road).

35 As the same are more particularly delineated on the plan marked L. and S. 25/786, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland Plan S.O. 29664).

40 **19.** Whereas the Waikato Land Settlement Society, Incorporated (hereinafter referred to as the Society), being a Society duly incorporated under the Incorporated Societies Act, 1908, has as one of its objects the settlement of unemployed and indigent persons on land purchased or otherwise acquired by the Society: And whereas the Society is the owner of certain freehold and leasehold

Validating an agreement between the Waikato Land Settlement Society, Incorporated, and the Crown. See Reprint of Statutes, Vol. III, p. 922

interests in land situated in the Auckland Land Registration District and of certain stock, implements, chattels, and other assets, and has disposed of parts of the said land, together with certain stock, implements, and other chattels, to certain purchasers under agreements of sale and purchase: And whereas the purchasers have executed in favour of the Society certain instruments by way of security over the said stock, implements, and other chattels to secure the amounts payable under the said agreements of sale and purchase: And whereas by an agreement dated the twenty-fifth day of May, nineteen hundred and thirty-eight, and made between the Society of the one part and His Majesty the King of the other part (a copy of which is deposited in the Head Office, Lands and Survey Department, Wellington, under Number 5001), it was agreed that the Crown should take over and administer the lands and other assets of the Society as from the first day of June, nineteen hundred and thirty-eight, and that as from that date the liability of the Society to the Crown for the sum of thirty-five thousand pounds and interest thereon should be cancelled and certain other liabilities of the Society should become liabilities of the Crown: And whereas the said agreement is conditional on the passing of validating legislation, and the parties to the agreement have agreed to the provisions hereinafter contained: Be it therefore enacted as follows:—

(1) Subject to the provisions of this section, the said agreement is hereby validated and declared to have been lawfully made.

(2) All interests of the Society in the land, or under the agreements of sale and purchase, instruments by way of security, or other documents, or in the stock, implements, and other chattels, or in the other property to which the said agreement relates, are hereby vested in His Majesty the King.

(3) The District Land Registrar at Auckland is hereby authorized to make such entries in the registers and to do such other things as may be necessary to give full effect to the provisions of the *last preceding* subsection in so far as it relates to any interests in land. For the purposes of this subsection a certificate by the Minister of Lands to the effect that any interest in land has been vested in His Majesty under this section shall be accepted by the Registrar as sufficient evidence of that fact.

(4) All lands vested in His Majesty under this section shall be deemed to have been acquired under the Small Farms (Relief of Unemployment) Act, 1932-33 (hereinafter referred to as the principal Act), and with respect to all lands heretofore disposed of by the Society the provisions of the principal Act shall apply as if the lands had been disposed of under that Act. For the purposes of this section the terms "Board" and "Minister" have the same meanings respectively as in the principal Act.

(5) Notwithstanding anything to the contrary in the principal Act, but without limiting any other powers of disposal, it is hereby declared that any of the said lands may be disposed of, to any person qualified to receive a lease under section eight of the principal Act, by way of agreement of sale and purchase at such price and upon such terms and conditions as the Board thinks fit, being as nearly as may be the terms and conditions of the agreements heretofore made by the Society with its purchasers, but so that—

(a) The price for the land with interest thereon shall be payable by instalments at regular intervals, each of the instalments consisting partly of principal and partly of interest:

(b) A separate current account shall be kept of all principal and interest owing by the purchaser to the Crown in respect of stock, implements, and other chattels as distinct from the price for the land, but the moneys in the current account shall be collaterally secured on the land:

(c) Except with the consent of the Minister, acting on the recommendation of the Board, the purchaser shall not be entitled to a title to the land until the price of the land and all interest thereon and all moneys in the current account have been paid or satisfied.

(6) The Board may at any time during the currency of any agreement of sale and purchase heretofore made by the Society arrange with the purchaser for the cancellation of the agreement and the substitution therefor of a new agreement of sale and purchase in accordance with this section. For the purposes of this subsection

any instruments or documents in force between the parties may be cancelled and new ones may be substituted therefor.

(7) Where an arrangement is made under the *last preceding* subsection, the Board may, if it deems it just and equitable so to do, having regard to any losses suffered by the purchaser by reason of disease among his stock, reduce to such extent as it thinks fit the liability of the purchaser to the Crown in respect of his stock. 5

(8) Except with the prior consent of the Minister, acting on the recommendation of the Board, the person to whom any land has heretofore been disposed of by the Society, or the person to whom any land vested in His Majesty under this section is hereafter disposed of, or any person claiming through or under any such person shall not be capable at any time after the issue of a certificate of title to the land of alienating, mortgaging, charging, or leasing the land or any part thereof, or of creating (otherwise than by will) any right, title, estate, or interest (whether legal or equitable) in the land or any part thereof. Every certificate of title issued under this section shall have written thereon a memorial that it is issued subject to the restrictions imposed by this subsection. 10 15 20

Repeal.  
1936, No. 49

(9) The *last preceding* subsection is in substitution for section thirty-one of the Reserves and other Lands Disposal Act, 1936, and that section is hereby accordingly repealed. 25

(10) Any agreement, deed, memorandum of satisfaction, or other instrument required to be executed by or on behalf of His Majesty for the purposes of this section may be signed by the Under-Secretary for Lands or by his deputy and shall be as valid and effectual if so signed as if executed by or on behalf of His Majesty. 30

Dissolving body  
corporate  
known as  
Queenstown  
Racecourse  
Trustees, and  
transferring  
their assets  
and liabilities  
to Frankton  
Aerodrome  
Board.  
1879, No. 33  
(Local)

20. Whereas by the Queenstown Racecourse Reserve Act, 1879, an area of one hundred and thirty-nine acres three roods nine perches in the Town of Frankton, and in Block I, Shotover Survey District, Otago Land District, was vested in a body corporate known as the Trustees of the Queenstown Racecourse, to be held by it for the purposes of the said Act: And whereas the trustees had authority under the said Act to lease the whole or any part of the reserve not required for the purposes of a racecourse: And whereas the reserve has not been used 35 40

for racing for many years, and the trustees granted a lease over the reserve on terms and conditions providing that the lessee should be entitled to compensation for boundary-fences only from any incoming tenant, and that in the  
5 event of the land not being again leased the lessee should not be entitled to any compensation for improvements : And whereas the lease has expired and, as for reasons hereinafter appearing the reserve has not been again offered for lease, the former lessee is not legally entitled  
10 to any compensation for improvements : And whereas at the request of the trustees and with the approval of the local authorities of the district action has been taken to cancel the vesting of the reserve in the said body corporate and to change the purpose of the reservation  
15 from a reserve for a racecourse to a reserve for a site for an aerodrome : And whereas the control of such reserve is now vested in the Frankton Aerodrome Board pursuant to the provisions of section seventeen of the Public Reserves, Domains, and National Parks Act, 1928 : And  
20 whereas it is desirable that the said body corporate should be dissolved, that all its assets and liabilities should be transferred to and vested in the said Aerodrome Board, that the said Board should be empowered to deal with any claim for compensation for improvements submitted  
25 by the former lessee of the reserve if it should think fit to do so, and that the Queenstown Racecourse Reserve Act, 1879, should be repealed : Be it therefore enacted as follows :—

See Reprint  
of Statutes,  
Vol. VI,  
p. 1134

(1) The body corporate known as the Trustees of the  
30 Queenstown Racecourse, as constituted under the provisions of the Queenstown Racecourse Reserve Act, 1879, is hereby dissolved, and all assets and liabilities of the said body corporate are hereby transferred to and vested in the Frankton Aerodrome Board as constituted by the  
35 Order in Council published in the *Gazette* of the second day of December, nineteen hundred and thirty-seven.

(2) The said Frankton Aerodrome Board is hereby authorized to deal in such manner as it may think fit with any claim for compensation for improvements  
40 submitted by the former lessee of the reserve, and to make such payment (if any) as it may deem to be reasonable and equitable under the circumstances of the case,

and in connection therewith to take into consideration and set off any arrears of rent that may be owing by the lessee in respect of his occupation of the reserve.

Repeal.

(3) The Queenstown Racecourse Reserve Act, 1879, is hereby repealed. 5

Restriction on construction of drains, &c., likely to endanger Tarawera River improvement-works.

See Reprint of Statutes, Vol. IV, p. 574

21. Whereas the Minister of Lands (hereinafter in this section referred to as the Minister) is authorized by section four of the Rangitaiki Land Drainage Act, 1910 (hereinafter referred to as the said Act), to carry out such works as he thinks fit for the drainage and reclamation of the land within the district defined by the said Act (hereinafter referred to as the district): And whereas in pursuance of that authority the Tarawera River has been improved by dredging and stop-banking: And whereas such works are likely to be endangered by the escape or seepage of water caused by the construction of drains and by other forms of interference with the surface of the land near the said river, and it is desirable that the Minister should be empowered to prevent and remove such danger: Be it therefore enacted as follows:— 10 15 20

(1) The Minister may from time to time, by notice in writing given to the occupier of any land near the Tarawera River and within the district, prohibit the construction of drains on the land or on such part thereof as may be specified in the notice, and also prohibit any other interference with the surface of the land or part thereof that may cause or be likely to cause the escape or seepage of water from the said river. For the purposes of this section the term "occupier" has the same meaning as in the Rating Act, 1925. 25 30

Ibid., Vol. VII, p. 977

(2) A notice to any occupier under this section may be given by delivering it to him personally, or by putting it up in a conspicuous place on the land and posting a copy of it by registered letter addressed to the occupier at his last known place of abode or business in New Zealand, or to the agent or representative of the occupier. A notice so posted shall be deemed to have been given at the time when the registered letter would in the ordinary course of post be delivered. 35 40

(3) Any notice given under this section may be at any time in like manner amended or revoked.



(4) Every person who does or causes or permits to be done any act prohibited by a notice given to him under this section shall be liable on summary conviction to a fine of *one* hundred pounds.

5 (5) The Minister may from time to time do all things that he deems necessary for the purposes of filling in any drain on any land in respect of which a notice has been given under this section and of remedying any other  
10 the drain was constructed or the interference was made before or after the passing of this Act, or before or after the giving of the notice.

(6) For the purposes of this section the Minister and all persons authorized by him in that behalf may enter  
15 upon and pass over any land within the district, with or without vehicles, and may take from any land in the immediate vicinity such spoil as may be required. Every person suffering any damage from the exercise of any of the powers conferred by this subsection shall be entitled  
20 to full compensation therefor in accordance with the provisions of the Public Works Act, 1928, relating to compensation.

See Reprint  
of Statutes,  
Vol. VII, p. 622

(7) All costs incurred by the Minister under the *last two preceding* subsections in respect of any drain  
25 constructed or other interference made on any land at any time while the construction or making thereof was prohibited by a notice given under this section to the occupier of the land shall constitute a debt forthwith due and payable to the Crown by that occupier, and shall be  
30 a charge on the land and may be recovered in the same manner as rates that have been validly demanded under the said Act.

(8) Subject to the *last preceding* subsection, all costs incurred by the Minister under subsection *five* of this  
35 section shall be deemed to be part of the expenses of the general administration of the said Act.

(9) On the application of any owner or occupier of any land affected by a notice under this section the Minister  
40 thereof from liability for rates under the said Act either wholly or in part and for such period as he thinks fit, and may from time to time remit either wholly or in part any rates made and levied under the said Act in respect

of that land or any part thereof. Any exemption granted under this subsection may be at any time in like manner varied or revoked.

(10) Except as otherwise expressly provided in this section, no compensation shall be payable under the Public Works Act, 1928, or any other Act, in respect of any damage suffered from the exercise of any powers conferred on the Minister by this section. 5

(11) Notwithstanding anything to the contrary in the Impounding Act, 1908, or any other Act, and notwithstanding that any stop-bank along the Tarawera River may not be on fenced land, the Minister may claim and recover in any Court of competent jurisdiction from the owner of any cattle full satisfaction for any actual damage caused by the cattle to the stop-bank. For the purposes of this subsection the terms "fenced land" and "cattle" have the same meanings respectively as in the Impounding Act, 1908. 10 15

See Reprint of Statutes, Vol. I, p. 213

Validating a burial in private ground and providing for the setting aside of private burial-grounds for the Burnett family.

Ibid., p. 731

Ibid., p. 754

**22.** (1) Notwithstanding anything to the contrary in the Cemeteries Act, 1908, or any other Act, the burial of the body of the late Catherine MacKay Burnett in the land described in subsection *six* hereof is hereby declared to have been lawfully made. 20

(2) From and after the passing of this Act the said land shall be deemed to be a private burial-ground to be called and known by the name of the Burnett Family Private Burial-ground as if it had been declared to be a private burial-ground under section two of the Cemeteries Amendment Act, 1912, and the provisions of that Act shall apply to such land in all relevant respects. The lineal descendants of the late Andrew Burnett, formerly of "Aorangi", Cave, in the County of Mackenzie, and of his wife, the late Catherine Burnett, and the husbands or wives of any of the said lineal descendants of Andrew Burnett and of his wife, Catherine Burnett, shall be the only class of persons who may now or hereafter be buried in the said Burnett Family Private Burial-ground. 25 30 35

(3) Notwithstanding anything to the contrary in the Cemeteries Act, 1908, or any other Act, it is hereby declared that after his death, whenever the same shall occur, the burial of the body of Thomas David Burnett may be made in the land referred to in subsection *seven* hereof. 40

(4) The body of no other person shall be buried in the said land. 45

- (5) Notwithstanding that the said land at present forms part of an area held by the said Thomas David Burnett under a pastoral license issued pursuant to the provisions of Part VI of the Land Act, 1924, the Governor-General may by notice in the *Gazette*, describing the land by its metes and bounds, declare such land to be set apart in perpetuity as a private burial-ground for the said Thomas David Burnett, and thereupon the said land shall cease to be subject to the pastoral license under which it is at present held, and the provisions of the Cemeteries Amendment Act, 1912, shall apply to the said land.

See Reprint  
of Statutes,  
Vol. IV,  
p. 743

- (6) The land to which subsections *one* and *two* hereof relate is particularly described as follows:—

- 15 All that area in the Canterbury Land District, containing by admeasurement three acres six perches and eight-tenths of a perch, more or less, and being part of Rural Section 25376, situated in Block IX, Pareora Survey District, and bounded as follows: towards the north generally by other part of Rural Section 25376, 718·0 links, 138·7 links, 496·1 links, 412·75 links, 1461·0 links, and 177·9 links; towards the east by a public road, 62·78 links; and towards the south generally by other part of Rural Section 25376, 152·0 links, 1475·7 links, 494·04 links, and 536·0 links: as the same is more particularly delineated on the plan marked L. and S. 2/607A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- 30 (7) The land to which subsections *three*, *four*, and *five* hereof relate is described as follows:—

- 35 All that area in the Canterbury Land District, containing two acres, more or less, being part of Run Number 83, situated in Block X, Cass Survey District, and bounded by lines within the limits of an area bounded towards the north by an east and west line from Trig. L to the Tasman River; towards the east by a line joining the said Trig. L with the north-east corner of Reserve 2874; towards the south-east by the north-western boundary of the said Reserve 2874; and towards the west generally by the Tasman River: as the latter area is more particularly delineated on the plan marked L. and S. 2/607B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Validating a certain payment by the Waikawa Domain Board.  
1934, No. 17

**23.** Notwithstanding anything to the contrary in the Local Authorities (Members' Contracts) Act, 1934, or in any other Act, the payment of ten pounds made during the financial year ended on the thirty-first day of March, nineteen hundred and thirty-seven, by the Waikawa Domain Board to Thomas Edward Wybrow in respect of a contract carried out by him while a member of the said Board is hereby validated and declared to have been lawfully made by the said Board and to have been lawfully received by the said Thomas Edward Wybrow.

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Authorizing trustees of will of late Sir John Logan Campbell to expend certain trust funds.  
1912, No. 46

**24.** The trustees of the will of the late Sir John Logan Campbell are hereby empowered to expend from the funds held by them as trustees towards the cost of the works authorized by subsection two of section two of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912, the sum of fifteen thousand pounds.

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Validating payments made by the Woodend Domain Board. See Reprint of Statutes, Vol. VI, p. 1134

**25.** Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act, the payments of fifteen pounds eighteen shillings and sixpence made during the financial year ended on the thirty-first day of March, nineteen hundred and thirty-seven, and eight pounds and eight shillings made during the financial year ended on the thirty-first day of March, nineteen hundred and thirty-eight, by the Woodend Domain Board to Barnard John Archer in respect of services rendered by him as the Board's Secretary while a member of the said Board are hereby validated and declared to have been lawfully made by the said Board and to have been lawfully received by the said Barnard John Archer.

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Providing for the care, management, and protection of the national park areas along Te Anau - Milford Sound Road.  
1934, No. 32

**26.** Whereas by section twenty of the Reserves and other Lands Disposal Act, 1934, certain areas of provisional State forest reserves totalling some forty-eight thousand four hundred and forty acres, situated generally in the Eglinton and Upper Hollyford Valleys along the route of the Te Anau - Milford Sound Road, were set apart for national park purposes: And whereas by a warrant published in the *Gazette* of the first day of August, nineteen hundred and thirty-five, certain areas of Crown land totalling some ninety thousand six hundred and fifty acres in the same locality were permanently reserved for national park purposes under the provisions of the Land Act, 1924: And whereas the said areas (hereinafter

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referred to as the reserve) are now administered under the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928: And whereas it is desirable that special provision should be made for the care, management, and protection of the reserve: Be it therefore enacted as follows:—

See Reprint  
of Statutes,  
Vol. VI,  
p. 1134

5 (1) Every person who lights on any land adjoining the reserve, or on the public highway running through such reserve, or who, being the owner or occupier of such  
10 adjoining land, permits to be lighted thereon, a fire which spreads into and destroys any bush, scrub, or natural growth on or seriously damages such reserve is liable on summary conviction to a fine not exceeding *one hundred* pounds, and shall in addition be liable to pay for all  
15 damage done.

(2) Every person is liable on summary conviction to a fine not exceeding *one hundred* pounds, and shall in addition be liable to pay for all damage done and the full market value of any timber unlawfully cut or removed,  
20 who—

(a) Without the written consent of the Minister of Lands cuts or removes any timber on the reserve, or unlawfully cuts, injures, or removes any or any part of any wood, tree, shrub, fern,  
25 plant, stone, mineral, or thing of any kind; or

(b) Without the consent of the Minister of Lands has in his possession or under his control or discharges any firearm while on the reserve, or kills or takes any bird or any native or imported  
30 game thereon; or

(c) Allows any cattle, horses, or other animals (including cats and dogs) to trespass upon the reserve or to be or remain thereon:

35 Provided that the Minister may authorize any person to take dogs on to the reserve for any specific purpose; or

(d) Camps in the reserve except in any camping-ground established by the Minister of Lands within the boundaries of such reserve; or

40 (e) Lights (except in a fireplace in any camping-ground established within the boundaries of the reserve) a fire on the reserve; or

(f) In any way interferes with the reserve or damages the scenic or historic features thereof.

(3) The Minister of Lands may fix such charges as he may think fit for camping in the camping-grounds already established by him or that may hereafter be so established within the boundaries of the reserve.

(4) Any person who refuses without reasonable cause to pay any charges fixed under the *last preceding* subsection to any person authorized by the Minister of Lands to demand such charges commits an offence and shall be liable on summary conviction to a fine of *ten pounds*.

(5) All charges heretofore made for camping in the camping-grounds established within the boundaries of the reserve shall be deemed to have been lawfully demanded and to have been lawfully received.

(6) Notwithstanding anything in the Justices of the Peace Act, 1927, or in any other Act to the contrary, any information in respect of any offence against this section may be laid at any time within *four* years after the last day of the year in which the offence was committed.

27. Whereas it was provided by sections thirty-two and thirty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, that the parcels of land described therein, being lands of the Crown and of the Corporation of the City of Auckland, might be exchanged, that an agreement for exchange of certain lands in Auckland City should be validated and that compensation should be determined by a Compensation Court to be constituted under the Public Works Act, 1908: And whereas the said section thirty-two further provided for possession of the lands to be exchanged being taken by or on behalf of the Crown and by the Auckland City Council respectively not later than the thirtieth day of November, nineteen hundred and twenty-five: And whereas possession was not taken as so provided: And whereas it has been agreed that the land of the Auckland City Council described in paragraph one of subsection eleven of the said section thirty-two should be exchanged for other land of the Crown: And whereas the area of land described in subsection six of the said section thirty-three has been transferred to the Auckland City Council by the vendors as described in such section: Be it therefore enacted as follows:—

(1) The transfer of the area of land described in subsection six of section thirty-three of the Reserves and other Lands Disposal and Public Bodies Empowering

See Reprint  
of Statutes,  
Vol. II, p. 351

Authorizing  
an exchange  
of lands  
between His  
Majesty and  
Auckland City  
Council, and  
validating a  
transfer of  
land to the  
Council.  
1924, No. 55

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Act, 1924, from Alfred Edward Francis Gilbert and Augustus Henry Gilbert, of Auckland, Printers, to the Auckland City Council is hereby validated.

5 (2) The Auckland City Council is hereby authorized to transfer to His Majesty the King free from encumbrances the land described in paragraph one of subsection eleven of section thirty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924.

10 (3) On completion of the transfer to His Majesty of the land which the Auckland City Council is authorized to transfer under the provisions of the *last preceding* subsection, the Governor-General may by  
15 Warrant under his hand authorize the issue of a certificate of title for an estate in fee-simple free from encumbrances to the Corporation of the Mayor, Councillors, and Citizens of the City of Auckland for the land described in subsection *six* hereof.

20 (4) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to register all transfers, titles, and other documents necessary to give effect to the provisions of the *last two preceding* subsections without payment of any fees whatsoever.

25 (5) Sections thirty-two and thirty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, are hereby repealed. Repeal.

(6) The land to which subsection *three* hereof relates is particularly described as follows:—

30 All that area in the North Auckland Land District, containing thirteen perches, more or less, being parts of Allotments 4 and 5 of Section 4, City of Auckland, and bounded as follows: Towards the north by part Allotment 5 of Section 4, City of Auckland, shown on a plan  
35 numbered 27010, and deposited in the office of the District Land Registrar at Auckland; towards the east by O'Connell Street; towards the south by Chancery Lane; and towards the west generally by Chancery Lane, part  
40 Allotment 4 of Section 4, City of Auckland, shown on plan numbered 22795 deposited as aforesaid, and Lots 4 and 3 on plan numbered 19507 deposited as aforesaid, being part of Allotment 4 of Section 4, City of Auckland: as the same is more particularly delineated on the plan  
45 numbered 29775, deposited in the office of the Chief Surveyor at Auckland, and thereon bordered red.

Validating the borrowing of certain moneys by the Westshore Domain Board, and validating payments of interest and repayment of principal.

**28.** Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act or rule of law, the actions of the Westshore Domain Board in borrowing from the Napier Thirty Thousand Club, a society duly incorporated under the Incorporated Societies Act, 1908, the sum of two hundred and nine pounds fourteen shillings and threepence during the financial year ended on the thirty-first day of March, nineteen hundred and thirty-one, and in paying interest thereon and in repaying principal in respect thereof (including the payment by the said Board of the sum of one hundred and sixty-two pounds and eighteen shillings, being a sum paid to the said Board under the authority of subsection two of section forty-one of the Public Reserves, Domains, and National Parks Act, 1928, for the improvement of the Westshore Domain) are hereby validated and declared to have been lawful.

Validating the borrowing of certain moneys by the South Egmont Local Committee of the Egmont National Park Board, and validating past payments and empowering future payments of principal and interest.

**29.** Notwithstanding anything to the contrary in the Egmont National Park Act, 1924, or in any other Act or rule of law, the actions of the South Egmont Local Committee of the Egmont National Park Board in borrowing sums amounting to two hundred pounds during the financial year ended the thirty-first day of March, nineteen hundred and thirty-six, and in paying interest thereon and in repaying principal in respect thereof are hereby validated and declared to have been lawful, and the said committee is hereby authorized and empowered from time to time to make further repayments of principal and until the sums borrowed are repaid to make periodical payments of interest in respect of the principal outstanding.

Validating certain payments by the Brighton Domain Board.

**30.** Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act, the payment of seventeen pounds and sixteen shillings made during the financial year ended the thirty-first day of March, nineteen hundred and thirty-eight, by the Brighton Domain Board to John Thornley, a member of the Board, and the payment of three pounds and twelve shillings made during the same year by the said Board towards the expenses of certain organizations providing entertainment at the domain, are hereby validated and declared to have been lawfully made, and the payment to the said John Thornley is hereby declared to have been lawfully received by him.



**31.** Whereas certain lands (hereinafter referred to as Reserve 3586), containing one thousand and nineteen acres and twenty-one perches, more or less, situated in the Ellesmere Survey District, and being all the lands  
5 comprised in certificate of title, Volume 158, folio 250, Canterbury Registry, are now vested in the Corporation of the County of Wairewa (hereinafter referred to as the Corporation) for an estate in fee-simple as an endowment upon trust to provide funds for the purpose of letting out  
10 Lake Forsyth into the sea in times of flood : And whereas certain lands (hereinafter referred to as Reserve 3185), containing two hundred and thirty-three acres one rood three perches, more or less, situated in the Ellesmere Survey District, and being the lands comprised in certificate of title, Volume 182, folio 104, Canterbury Registry,  
15 are now vested in the Corporation for an estate in fee-simple upon trust for the purposes of enabling the Corporation to erect drainage-works by which the annually recurring loss and injury caused by the flood-waters  
20 of Lake Forsyth may be prevented : And whereas certain moneys, being rents collected by or owing to the Corporation in respect of Reserves 3586 and 3185, now stand to the credit of an account in the books of the Corporation known as the Lake Forsyth Endowment  
25 Account and are subject to the above-mentioned trusts affecting the said Reserves 3586 and 3185 : And whereas it has been agreed between the Minister of Public Works and the Wairewa County Council that the construction of such drainage and other works are to be carried out  
30 by the Minister and that the Council is to pay the sum of five thousand pounds towards the cost of such works, and to undertake the ordinary maintenance of such works when completed : And whereas it is expedient to make provision as hereinafter provided : Be it therefore  
35 enacted as follows :—

Authorizing the Minister of Public Works to construct the Lake Forsyth outlet to the sea and provisions incidental thereto.

(1) The Minister of Public Works is hereby authorized to construct and undertake such works as he thinks fit for the purpose of providing a permanent outlet from Lake Forsyth to the sea.

40 (2) The Wairewa County Council (hereinafter referred to as the Council) is hereby authorized to pay into the Public Account from time to time as a contribution towards the cost of the said works a sum or sums not exceeding in the aggregate five thousand pounds.

(3) The sum of five thousand pounds to be paid by the Council pursuant to the *last preceding* subsection may be borrowed by the Council by way of special loan or loans by special order or orders under the Local Bodies' Loans Act, 1926, without taking the steps described in sections nine to thirteen of that Act, and such sum may be borrowed in two sums, one of four thousand pounds to be secured by a special annual-recurring rate upon the rateable value of all rateable property of the county, and the other of one thousand pounds to be secured by a special annual-recurring rate upon the rateable value of all rateable property in the special-rating area mentioned below :

Provided that any person whose name may appear on the special roll of such special-rating area may as provided by paragraph (e) of subsection three of section three of that Act lodge with the county an objection to his name being included in the roll upon the grounds set out in such subsection and such objection shall be dealt with as therein provided.

(4) The Council may from time to time enter into such agreement as it thinks fit with the Minister of Public Works providing for the maintenance by the Council in whole or in part of any works constructed by the Minister pursuant to this section. Any such agreement may provide for the work to be done or for payment to be made by the Council over a period of years.

(5) Upon payment by the Council of the sum of five thousand pounds into the Public Account as mentioned in subsection *two* hereof the Council may transfer to its General Account all moneys for the time being standing to the credit of the Lake Forsyth Endowment Account and may close the latter account. All moneys so transferred shall upon being transferred be deemed to be freed and discharged from the trusts affecting them as hereinbefore referred to.

(6) Upon payment by the Council of the said sum of five thousand pounds, Reserve 3586 and such part of Reserve 3185 as lies to the north-west of the Christchurch - Little River Railway line respectively shall be vested by Order in Council in the Corporation for an estate in fee-simple, to be held by the Corporation as an endowment for the general purposes of the Corporation, freed and discharged from the trusts heretofore affecting the same,

(7) The Governor-General may by Order in Council declare the remaining part of Reserve 3185 to be vested in His Majesty the King, freed and discharged from all trusts theretofore affecting the same, and to be Crown  
5 land available for disposal under the Land Act, 1924, and all proceeds held or accruing from the said land after it has been declared to be Crown land as aforesaid shall be disposed of in terms of section twenty of the said Act.

(8) Every Order in Council under this section shall  
10 have effect according to its tenor. Upon presentation to him of a copy of any such Order in Council, the District Land Registrar for the Land Registration District of Canterbury shall register the same without fee and shall make such entries in the registers and take such other  
15 action as may be necessary to give full effect to the provisions of this section.

(9) Any Order in Council issued under this section in respect of any land shall not be deemed to affect any lease or other encumbrance to which the land is subject.

20 (10) The description of the special-rating area mentioned in subsection *three* hereof is as follows :—

All that area in the Canterbury Land District, situated in Blocks IV, VIII, Ellesmere Survey District, Blocks I, II, V, Akaroa Survey District, and Block XIII, Pigeon  
25 Bay Survey District : commencing at a point being the north-east corner of Reserve 3185 near where Lake Forsyth joins the Little River Railway line ; thence in a north-easterly direction along the south-eastern side of the said railway to the terminus thereof at the Little  
30 River Railway-station ; thence at right angles across the Christchurch - Akaroa Main Highway ; thence north-easterly generally along the south-eastern side of that highway to its point of intersection with the western side of Pah Road, such point being on the north-western  
35 boundary of Section 8B 1, Block III, Native Reserve 887 ; thence in a southerly direction generally along the western side of Pah Road to the northern boundary of Education Reserve 157 ; thence easterly along the northern boundary and southerly along the eastern  
40 boundary of the said Reserve 157 to the Okute River ; thence westerly along the Okute River, being the southern boundary of the said Reserve 157 to its junction with the western side of Teoka Road ; thence southerly across the Okute River and along the said western side of the Teoka

Road to a point in line with the continuation of the southern boundary of Rural Section 18918; thence westerly by a right line to the southern boundary of Rural Section 18918, and along that boundary to the eastern boundary of Rural Sections 1281, 2328; thence southerly, westerly, and northerly along the boundaries of those sections to the road bounding Lake Forsyth; thence south-westerly along the said road to the northernmost corner of Section 14, Kinloch Settlement; thence easterly generally along the northern boundaries of Sections 14, 15, 16, 17, and 18, Kinloch Settlement, to the eastern boundary of the last-mentioned section; thence southerly along that boundary to the southern boundary of the said Section 18; thence westerly generally along that boundary to the south-eastern boundary of the said Section 17; thence south-westerly along that boundary to Magnet Bay; thence westerly generally along the sea-coast to the Spit across the outlet of Lake Forsyth; thence across the said Spit to the western bank of Lake Forsyth; then northerly along the western bank of Lake Forsyth to its junction with the north-eastern boundary of Rural Section 24351; thence north-westerly along the north-eastern boundary of the said rural section and Rural Section 24353 to the westernmost corner of the last-mentioned section; thence north-easterly along the north-western boundary of Reserve 3185 to its junction with the Little River Railway, and north-easterly along the southern side of the said railway to the point of commencement.

Providing for the transfer to Gisborne Land Registry of certificates of title wrongly registered in Hawke's Bay Registry.

**32.** Whereas since the first day of January, eighteen hundred and ninety-seven, the land hereinafter described has been within the boundaries of the Gisborne Land Registration District: And whereas the said land was included in a Warrant under the hand of the Governor forwarded in error to the District Land Registrar for the Hawke's Bay Land Registration District on the twenty-fourth day of July, nineteen hundred and fifteen, and, pursuant to that Warrant, certificates of title under the Land Transfer Act, 1908, were issued for the land, and instruments of various kinds affecting the land were thereafter registered in the Land Registry Office of the Hawke's Bay Land Registration District: And whereas the said land is now comprised in the certificates of title hereinafter referred to: And whereas the said Warrant

under the hand of the Governor should have been forwarded to the District Land Registrar for the Gisborne Land Registration District and all instruments affecting the land should have been registered in the Land Registry Office of that district: And whereas it is desirable to provide for the rectification of the registers in the manner hereinafter set out: Be it therefore enacted as follows:—

5 (1) The District Land Registrar for the Hawke's Bay Land Registration District shall transmit to the District  
10 Land Registrar for the Gisborne Land Registration District certified copies of certificates of title, H.B. Volume 4, folios 79 and 80, Hawke's Bay Registry, and also all instruments or copies of instruments in his possession affecting the land to which this section relates or,  
15 where they also affect other land, certified copies thereof, and the District Land Registrar for the Gisborne Land Registration District shall include the copies of the certificates of title and other documents so forwarded to him in the register kept by him under the provisions of the  
20 Land Transfer Act, 1915, and thenceforth the said certificates of title and the instruments theretofore registered or entered on the register in relation to the said land shall have the same force and effect as if they had in the first instance been issued, registered, or entered, as the case  
25 may be, by the District Land Registrar for the Gisborne Land Registration District.

See Reprint of Statutes, Vol. VII, p. 1173

(2) The land to which this section relates is particularly described as follows:—

30 All those parcels of land containing together fifty-one acres, more or less, being Sections 4 and 5, Block XVI, on the public map of the Opoiti Survey District.

33. Whereas the land hereinafter described is Crown land comprising the greater part of Farewell Spit, in the County of Collingwood, and the same is held by John  
35 Richards and Edwin Davy Richards under a lease dated the fifth day of January, nineteen hundred and twenty-five, and issued under the provisions of section one hundred and fifty-two of the Land Act, 1924: And whereas it is desirable that the said land should be set apart as a  
40 reserve for the preservation of flora and fauna, and the said lessees have no objection to the land being so set apart provided their rights under their lease are preserved: And whereas it is desirable that special provision should be made for the care and protection of the

Declaring Crown land on Farewell Spit a reserve for the preservation of flora and fauna, authorizing the reservation as a sanctuary of areas below high-water mark in the vicinity, and providing for the care and protection of all the same.

said land : And whereas on the northern and southern sides of the said land between high and low water marks there are extensive areas which are frequented by various species of birds : And whereas in order that the birds may be protected it is desirable that the said areas should be reserved as a sanctuary for the preservation of wild life, and that special provision should be made for the care and protection of the same : Be it therefore enacted as follows :—

(1) Notwithstanding that the said land is held under the lease hereinbefore referred to, the land described in subsection *seven* hereof is hereby declared to be set apart as a reserve for the preservation of flora and fauna.

(2) With respect to the land reserved as aforesaid the following provisions shall apply :—

(a) Every person who lights on any land (including a public highway) adjoining the reserve, or being the owner or occupier of such adjoining land permits to be lighted thereon, a fire which spreads into and destroys any vegetation on or seriously damages such reserve is liable on summary conviction to a fine not exceeding *one hundred* pounds, and shall, in addition, be liable to pay for all damage done :

(b) Every person is liable on summary conviction to a fine not exceeding *one hundred* pounds and shall, in addition, be liable to pay for all damage done, who—

(i) Without the consent of the Minister of Lands camps on the reserve or lights any fire thereon :

(ii) Without the consent of the said Minister cuts or removes any vegetation on the reserve, or unlawfully cuts, injures, or removes any or any part of any wood, tree, shrub, fern, plant, stone, mineral, or thing of any kind :

(iii) Without the consent of the said Minister has in his possession or under his control or discharges any firearm while on the reserve, or kills or takes any birds or any native or imported game thereon :

(iv) Allows any cattle, horses, or other animals (including cats and dogs) to trespass upon the reserve or to be or remain thereon :

5 (v) In any way interferes with the reserve or damages the natural features thereof :

(3) Nothing in the *last two preceding* subsections shall affect the rights of the lessees under the lease hereinbefore referred to.

10 (4) The Governor-General may by Order in Council, from time to time, declare any land in the vicinity of the land reserved as aforesaid situated between high and low water marks to be a reserve for a sanctuary for the preservation of wild life. Every such Order in Council shall take effect according to its tenor, and may in like  
15 manner be amended or revoked.

(5) Where land is reserved under the *last preceding* subsection the following provisions shall apply with respect to the land :—

20 Every person shall be liable on summary conviction to a fine not exceeding *one hundred* pounds, and shall, in addition, be liable to pay for all damage done, who, without the consent of the Minister of Lands,—

(a) Lights a fire on the land or permits any fire lit  
25 thereon to spread into and damage the land set apart as a reserve for the preservation of flora and fauna by subsection *one* hereof :

(b) Has in his possession or under his control or dis-  
charges any firearm while on any such land, or  
kills or takes any birds or any native or imported  
30 game thereon :

(c) Allows any cattle, horses, or other animals  
(including cats and dogs) to trespass upon any  
such land :

(d) In any way interferes with or damages any such  
35 land.

(6) Notwithstanding anything to the contrary in the Justices of the Peace Act, 1927, or in any other Act, any information in respect of any offence against this section may be laid at any time within four years after the last  
40 day of the year in which the offence was committed,

(7) The land set apart as a reserve for the preservation of flora and fauna by subsection *one* hereof is described as follows:—

All that area in the County of Collingwood, Nelson Land District, containing by admeasurement four thousand three hundred and ninety-seven acres, more or less, being Section Number 3, Blocks III, IV, VI, VII, and VIII, Onetaua Survey District: as the same is delineated on the plan marked L. and S. 6/10/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Vesting land  
fronting  
Wellington  
Railway station  
in the  
Corporation  
of the  
City of  
Wellington  
for street  
purposes.

**34.** Whereas the land hereinafter described was, with other land, taken for the purposes of the Wellington-Napier Railway by a Proclamation published in the *Gazette* of the twenty-fourth day of November, eighteen hundred and eighty-one: And whereas the said land has been laid out in streets on which carriageways, footways, and gardens have been constructed as shown on the plan marked L.O. 4781, deposited in the office of the Minister of Railways at Wellington, and thereon coloured burnt sienna, neutral, and pink and green, and such land is not now required for railway purposes: And whereas it is expedient that the said land be vested in the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter referred to as the Corporation) upon trust for the purposes of a street, subject, however, to certain conditions as hereinafter provided: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, or any other Act, the land described in subsection *three* hereof is hereby vested in the Corporation upon trust for the purposes of a street, subject to the following conditions:—

- (a) Except with the prior consent in writing of the Minister of Railways, no building, structure, or erection of any kind whatsoever shall be built, erected, or placed upon the said land:
- (b) Except with the prior consent in writing of the Minister of Railways, no alteration shall be made in the layout of the carriageways, footways, or gardens on the said land:
- (c) The gardens and footways from time to time on the said land shall be maintained by the said Corporation at its own expense:



(d) The carriageways from time to time on the said land shall be maintained by the said Corporation and half the cost of maintenance shall be paid by the Government Railways Department.

5 (2) The District Land Registrar for the Land Registration District of Wellington is hereby directed and empowered to issue a certificate of title in respect of the said land in favour of the Corporation for the purposes of and subject to the conditions set out in this section.

10 (3) The land to which this section relates is particularly described as follows:—

All that area in the City of Wellington, containing by admeasurement one acre and thirty-five perches and nine-tenths of a perch, more or less, being part of the  
 15 Thorndon Reclamation, and being part of the land comprised and described in certificate of title, Volume 443, folio 66, Wellington Registry: as the same is more particularly delineated on the plan marked L.O. 5363, deposited in the office of the Minister of Railways at  
 20 Wellington, and thereon coloured yellow.

35. Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the Okotuku Domain Board is hereby empowered to apply the proceeds from the sale of certain trees now growing  
 25 on the Okotuku Domain, or such part of such proceeds as it may think fit, in or towards the construction of horse-boxes on the said domain.

36. Whereas the land hereinafter described is vested in the Manaia Town Board as a site for a public library  
 30 and as an endowment for town purposes: And whereas the said land is not required as a site for a public library, and it is desirable that it should be added to the Manaia Domain in order that it may be used as portion of the site of public swimming-baths which are to be constructed  
 35 in the Town of Manaia: And whereas it is desirable to make suitable provision in that behalf: Be it therefore enacted as follows:—

(1) The land described in subsection *three* hereof is hereby declared to be vested in His Majesty the King  
 40 as a recreation reserve, to be subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form portion of the Manaia Domain.

Special provision for application of proceeds from sale of trees on the Okotuku Domain.

See Reprint of Statutes, Vol. VI, p. 1134

Vesting Section 13, Block XIV, Town of Manaia, in His Majesty as an addition to the Manaia Domain.

(2) The District Land Registrar for the Land Registration District of Taranaki is hereby empowered and directed to make such entries in the registers register-book and in the outstanding certificate of title for the said land as may be necessary to give effect to the provisions of this section. 5

(3) The land to which this section relates is particularly described as follows—

All that area in the Taranaki Land District, containing by admeasurement one rood, more or less, being Section 13, Block XIV, Town of Manaia, and being all the land comprised in certificate of title, Volume 9, folio 16, Taranaki Registry. 10

Authorizing the Wellington City Council to use portion of the Town Belt for a motor camp.

37. Notwithstanding anything to the contrary contained in a deed dated the seventeenth day of March, eighteen hundred and seventy-three, made between the Superintendent of the Province of Wellington of the one part and the Mayor, Councillors, and Citizens of the City of Wellington as then constituted of the other part, or in any Act, the Wellington City Council is hereby authorized and empowered to set apart and use for a motor camp such portion of the Town Belt in the City of Wellington, not exceeding ten acres, as the Minister of Lands may approve, and for the development, maintenance, and control thereof the Council may spend out of its District Fund such sum or sums in any year as it may think fit, and the said Council may fix such charges for the use of the said motor camp as it thinks fit. 15 20 25.

*New.*

Vesting part of Waterloo Quay in the Corporation of the City of Wellington as a street and provisions incidental thereto.

37A. Whereas the land hereinafter described is at present vested in the Wellington Harbour Board: And whereas, consequent upon certain arrangements which are being entered into between the said Board, the Wellington City Council, and His Majesty the King, it is desirable that the said land should be vested in the Corporation of the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter referred to as the Corporation) as a street: And whereas it is expedient to make provision as hereinafter provided: Be it therefore enacted as follows:— 30 35 40

(1) The land hereinafter described is hereby vested in the Corporation for the purposes of a street.

*New.*

(2) The Wellington Harbour Board and Corporation Land Act, 1880, is hereby amended as follows:—

(a) By repealing subsection two of section four:

5 (b) By omitting from paragraph one of the Schedule the following words “All that piece or parcel of land in the City of Wellington, known as Waterloo Quay, as the same is shown in red on the plan marked P.W.D. 7942, and deposited in the Public Works Office, Wellington”,

10 (3) His Majesty the King, the Wellington Harbour Board, and the Mayor, Councillors, and Citizens of the City of Wellington are hereby authorized and empowered to execute and to carry out the provisions of a deed of agreement, the terms of which have been already arranged and a draft copy of which is deposited in the office of the Minister of Railways at Wellington, marked and numbered L.O. 430.

20 (4) All railway-lines now constructed, and all lines hereafter constructed pursuant to the agreement authorized by the *last preceding* subsection, across, upon, or along Waterloo Quay, including therein the whole of its length from Whitmore Street to its junction with the street now being formed, the latter

25 being known as Aotea Quay, and also across, upon, or along side roads and streets connecting the said Waterloo Quay with the wharves shall be deemed to form part of a Government Railway, provided that the provisions of subsection one of section fifty-six of the Government

30 Railways Act, 1926, shall not apply with respect to any such railway-lines.

(5) The land to which this section relates is described as follows:—

35 All that piece or parcel of land in the City of Wellington, being part of the land now known as Waterloo Quay, and being part of the land referred to in paragraph one of the First Schedule to the Wellington Harbour Board and Corporation Land Act, 1880: as the same is shown in red on the plan marked P.W.D. 7942, de-

40 posited in the Head Office, Department of Public Works, at Wellington.

*New.*

Also all that triangular portion of land described in the Sixth Schedule to the Wellington Harbour Board Reclamation and Empowering Act, 1898, containing by admeasurement sixteen one-hundredths of a perch, more or less, and being part of Section 2, Block I, Thorndon Reclamation. 5

Declaring certain Crown land to be education endowment and authorizing Taranaki Land Board to incorporate the same in education-endowment leases of adjoining land.

37B. Whereas the land hereinafter described formerly comprised portion of the Manaia Branch Railway Reserve, and was declared Crown land by a Proclamation published in the *Gazette* of the twenty-fourth day of September, nineteen hundred and thirty-one: And whereas the said land adjoins and intersects certain other land set apart as an endowment for primary education and leased to certain lessees: And whereas it is desirable that the said land should also be set apart as an endowment for primary education and that it should be incorporated in the said leases: And whereas it is expedient that special authority should be provided in that behalf: Be it therefore enacted as follows:— 10 15 20

(1) Notwithstanding anything to the contrary in any Act, the land described in the Schedule to this Act is hereby declared to be set apart as an endowment for the purpose of primary education. The Taranaki Land Board may incorporate such part of the said land as it thinks fit with any of the adjoining primary-education-endowment land leased as aforesaid and make any consequential adjustment of rent required, and thereupon the land so incorporated shall be held on the same tenure and upon the same terms and conditions and shall be subject to the same rights, titles, interests, and encumbrances as the other land comprised in the lease affected thereby. 25 30

(2) A certificate under the hand of the Commissioner of Crown Lands for the Land District of Taranaki shall be sufficient authority to the District Land Registrar of the Land Registration District of Taranaki to make appropriate entries in respect of such incorporation on the respective leases retained in his office and on the outstanding copies thereof, and to do such other things as may be necessary to give full effect to the provisions of this section. 35 40

*New.*

5 **37c.** Notwithstanding anything to the contrary in the Local Authorities (Members' Contracts) Act, 1934, or in any other Act, the payment of twenty pounds made during the financial year ended the thirty-first day of March, nineteen hundred and thirty-eight, by the Papanui Domain Board to Raymond Victor Clarke in respect of a contract carried out by him while a member of the said Board is hereby validated and declared to have been lawfully made by the said Board and to have been lawfully received by the said Raymond Victor Clarke.

10

Validating a certain payment by the Papanui Domain Board.

SCHEDULE.

LAND SITUATED IN THE TARANAKI LAND DISTRICT TO WHICH SECTION 37B RELATES.

Section.	Block	Survey District of	Area.
			A. R. P.
Part 45 ..	XV	Kaupokonui ..	3 0 18.1
" 45 ..	"	" ..	1 1 19.4
" 46 ..	"	" ..	3 0 7
" 46 ..	"	" ..	10 3 11
47 and Part 48 ..	"	" ..	1 2 35.8
Part 48 ..	"	" ..	2 3 0.8
79 ..	III	Waimate ..	1 1 14.1
80 ..	"	" ..	1 1 13.3
81 ..	"	" ..	2 1 37
82 ..	"	" ..	2 3 16.6
83 ..	"	" ..	2 1 26.5
84 ..	"	" ..	1 2 36.1

As the same is delineated on the plan marked L. and S. 23/360, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red and blue.