

RESERVES AND OTHER LANDS DISPOSAL BILL, 1937.

EXPLANATORY NOTES.

Clause 2: Section 7 of the Canterbury Provincial Buildings Vesting Act, 1928, amended (file L. and S. 22/48).—Under the provisions of section 7 of the Canterbury Provincial Buildings Vesting Act, 1928, the area of 1 rood 34.8 perches described in the First Schedule to the Act, and being the site of the stone Provincial Council Chamber and the Crown land fronting the same, was vested in the Canterbury Provincial Buildings Board for an estate in fee-simple in trust to maintain the land and the building as a memorial of the foundation of the Province of Canterbury. The Board was given power to let the building for such purposes as might be decided by it, but such purposes were not to be inconsistent with the trust. The Crown has no rights of occupation or possession in relation to the land and building vested in the Board by this section. Under section 8 (1) of the Act the area of 1 rood 1.6 perches described in the Second Schedule, being the site of the old wooden Provincial Council Chamber and the stone Coffee-room (Bellamy's) and the Crown land fronting the same, was vested in the Board for an estate in fee-simple, subject to the same trust as that imposed upon the area dealt with in section 7. By section 8 (2) of the Act, however, it was stipulated that the land and buildings to which that section related were, so long as required, to remain in the exclusive occupation and possession of the Crown without payment of rent or other charge and were to be used only for the purposes of the general government of New Zealand. This clause has the effect of placing the control of the old wooden Provincial Council Chamber and the building known as Bellamy's and the land fronting same under the absolute control of the Board, which will then have similar rights over this area to those held over the stone Provincial Council Chamber and the land facing same. The Crown will then have no rights of occupation or possession of the old wooden Provincial Council Chamber or the part of the buildings known as Bellamy's or the land fronting same.

Clause 3: Authorizing the acquisition of land for sale to the Hawera Co-operative Dairy Factory Co., Ltd. (file L. and S. 22/1048/42).—The area of 3 acres 14.4 perches referred to in subclause (2) is the balance of a Native reserve set apart under the West Coast Settlement (North Island) Act, 1880. The remainder of this reserve has been acquired by the Crown for general settlement. The area is leased to the Hawera Co-operative Dairy Factory Co., Ltd., for a term of twenty-one years with perpetual right of renewal. Situated on this land are the buildings of the company which desires an opportunity to acquire the freehold. There is no statutory provision whereby this land may be purchased by the company, and the Crown, in terms of the Native Land Act, 1931, may only acquire such land for general settlement. It is not considered that the acquisition of this land by the Crown for sale to the company could be considered an acquisition for general settlement. It is, however, advisable that the company should be enabled to purchase, and this clause makes provision for the acquisition of this area by the Crown to be deemed for general settlement purposes. After acquisition by the Crown there is adequate provision under the Land Act, 1924, whereby the area may be sold to the company.

Clause 4: Validating the granting of leases over Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta) (file L. and S. 8/9/266).—Runs 161 and 162 (Mokoreta), situated in the Otago and Southland Land Districts, contain 38,290 acres, and are vested in the Otago Boys' and Girls' High Schools Board. Leases granted by the Board over these runs in favour of Mr. J. C. Begg expired in February, 1937, and the runs were then subdivided into four separate holdings. It was considered that a lease of the homestead subdivision should be allotted to Mr. Begg without competition and that the lease of another subdivision should be similarly allotted to Mr. E. T. R. Ayson, who, during the last ten years, has been continuously employed upon the land concerned. Had this land been Crown land there would have been statutory authority for the allocation of the above subdivisions without competition. The Board, however, had no such authority and the clause under consideration validates its action.

Clause 5: Section 20 of the Rotorua Town Lands Act, 1920, and the Third Schedule thereto, amended (file L. and S. 22/3292).—The Rotorua Town Lands Act, 1920, provided for the freehold of Crown lands leased in the Town of Rotorua to be acquired upon certain conditions, one of which was that the value of land comprised in any street laid off over land comprised in a lease should be added to the purchase price, and section 20 of the Act declared certain areas described in the Third Schedule thereto to be public streets. Certain streets and widenings of streets were, however, inadvertently omitted from the Schedule. These latter areas are actually in use for street purposes, but are in the unsatisfactory position of being undedicated streets. It is desirable that the position should be corrected, and this clause therefore provides for the inclusion of these areas in the said Schedule as from the passing of the Act concerned. The clause also amends the said section 20 to ensure that whenever in future streets are laid off over land comprised in leases of the above nature such streets may be proclaimed public streets and that the liability for the formation, &c., thereof shall remain with the respective lessees.

Clause 6: Providing for the reclamation of portion of the bed of the Greymouth Harbour (file L. and S. 6/11/95).—The Greymouth Aerodrome consists of a strip of land lying approximately north and south, bounded on the one side by the sea and on the other by a tidal lagoon. Reasonably satisfactory runways (approximately 28 chains) are available in directions between N.N.W.—N.E., but the E.—W. runway is very short (approximately 12 chains) necessitating dangerous crosswind landings in easterly and westerly winds. The only practical way of providing a better E.—W. runway, which is essential for safe operation of commercial aircraft, is to extend the aerodrome at its northern end into the lagoon. A certain amount of reclamation and protective work has already been carried out, but further proposals have been drawn up involving reclamation of a considerable portion of the lagoon and the dredging of other portions (to maintain the volume of the tidal-basin and provide filling). Such work will extend the E.—W. runway to approximately 22 chains. The work involved includes moving 200,000 cubic yards of material, stone pitching around the aerodrome (1,770 cubic yards), preparation of surface, grassing, &c. Section 168 of the Harbours Act requires that a special Act shall be promoted authorizing the reclamation of tidal land, and this legislation is promoted in order to comply with that statute. The Marine Department, the Greymouth Harbour Board, and the Controller of Civil Aviation have all concurred in the reclamation proposals, and the Governor-General in Council has given his approval under section 171 of the Harbours Act, 1923.

Clause 7: Validating payments made by the Ohai Domain Board (file L. and S. 1/881).—The Ohai Domain Board in June, 1936, employed men under the Employment Promotion No. 5 Scheme to effect improvements to the domain. Subsequently Mr. T. Todd, a member of the Board, who was unemployed, was appointed Time-keeper and Supervisor under the scheme, and was paid at the appropriate relief rate of pay. During the financial year ended the 31st March, 1937, he received approximately £50 or £60 in excess of the maximum of £10 permitted to be paid to a Domain Board Member pursuant to section 99 of the Public Reserves, Domains, and National Parks Act, 1928. The Board was advised of the fact, and Mr. Todd (in September last) resigned therefrom. As it is possible that Mr. Todd received further payments for which there was no authority during the current financial year, the clause validates any payments which have been made during this and the last financial year. The Audit Office concurs.

Clause 8: Revoking the reservation over portion of the Wanganui River Trust Domain and authorizing the incorporation thereof in a lease of adjoining land (file L. and S. 1/440/2).—The purpose of this clause is to revoke the reservation over 23·2 perches of the Wanganui River Trust Domain in order that this area may be incorporated in a lease of Section 12, Block I, Hunua Survey District, adjoining, to afford the lessee more convenient access between this section and Section 16 of the same block, which is also held by him on lease. The lessee, in consideration for the incorporation of this small area in his lease, has consented to surrender his leasehold rights over 15·9 perches of Section 16, thereby enabling improved access to be provided to Reserve C, a portion of the said domain.

Clause 9: Empowering the Corporation of the Borough of Thames to sell portion of its endowment and to apply the proceeds towards the cost of new municipal offices (file L. and S. 58282).—The land affected by this clause comprises 1,897 acres 2 roods, and is part of a total area of 2,724 acres 2 roods 10 perches, 2,000 acres of which was granted to the Corporation of the Borough of Thames in 1880 as an endowment in aid of the borough funds and the balance of which was similarly granted for the same purpose in 1899. The area dealt with in this clause comprises low-lying unbroken flat land which is subject to flooding, and is of such a nature as to preclude the economic development thereof by the Borough Council. The Council has twice leased the area, but both leases were surrendered without any useful improvement work having been carried out. The Council has accordingly requested to be empowered to sell the land by public auction in order that the proceeds therefrom may be applied towards the cost of new municipal offices to replace the present offices which, besides being very old, are in an unsuitable locality. This clause will provide the Council of the Borough with the necessary authority. The proposal has been advertised in newspapers circulating in the district, and no objection has been received to the sale of the land in the manner and for the purpose above mentioned.

Clause 10: Enabling the Native Land Court of the Cook Islands to determine the ownership of the Island of Takutea (file L. and S. 54289).—The Island of Takutea, comprising some 300 acres, is situated about ten miles off the coast of the Island of Atiu. In 1902 the Native Land Court of the Cook Islands awarded Takutea to Ngamuru Ariki, who in the same year handed this island back to the Crown in trust for the general benefit of the people of the Cook Islands. Since that date the award of the island to Ngamuru Ariki and

his right to hand back this land to the Crown have been disputed. Subsequent inquiry has disclosed reasonable grounds of objection to the above-mentioned award. This clause therefore frees the island from all trusts and reservations affecting it and declares it to be "customary land", and empowers the Court to determine the ownership thereof. The Cook Islands Department advises that as far as the Crown is concerned the island is of little value.

Clause 11: Authorizing the Taumarunui Borough Council to grant a lease to the Taumarunui Fire Board of Section 7, Block III, Taumarunui Native Township (file L. and S. 7/581/99).—Section 7, Block III, Taumarunui Native Township, containing 1 rood and 8 perches, is a public reserve vested in the Corporation of the Borough of Taumarunui in trust for municipal purposes. The local authority has no power to grant a lease thereof for a longer period than one year unless such lease is sold by public auction or tender. The Taumarunui Borough Council wishes to grant a lease of the reserve to the Taumarunui Fire Board for a term of sixty-six years at a peppercorn rental in order that the Board may erect a fire-brigade station thereon. In view of the purpose for which the lease is to be granted it is desirable that the Council should be empowered to dispose of a lease as above mentioned without offering it for public competition. This clause will provide the Council with the necessary authority.

Clause 12: Reserving Section 2, Block I, Piopotea Survey District, Auckland Land District, for a public cemetery and vesting it in the Corporation of the Borough of Taumarunui (file L. and S. 2/217).—The land to which this clause relates, being an area of 30 perches, is portion of a chain strip along the Ongarue River reserved from sale or other disposition under section 129 of the Land Act, 1924. It is considered that this area, which adjoins the old cemetery within the Borough of Taumarunui, should be reserved for cemetery purposes and vested in the Corporation in order to enlarge the area available for the burial of returned soldiers. An adequate area will remain subject to section 129 above mentioned to provide access along the river-bank. The Department of Health has been consulted, and it has no objection to the proposed reservation. The Taumarunui Borough Council has advised that it will be pleased to have the area vested in it for cemetery purposes. As the land is subject to section 129 above mentioned and is within a borough, special legislation is required to reserve it as a public cemetery.

Clause 13: Validating the payment by the Matamata Borough Council of the balance of a loan for water-supply purposes towards the purchase of land for scenic purposes (file L. and S. 22/2731).—The land to which this clause relates comprises 4,490 acres 3 roods 23 perches of bush land on the Kaimai Ranges behind Matamata. Within this block is the source of the Waiteariki Stream from which the Town of Matamata receives its water-supply. The Matamata Borough Council is therefore vitally interested in the preservation of the bush on the above area. The Council accordingly agreed to join with the Crown in the acquisition of this area for scenic purposes. The total purchase price was £4,610 3s. 10d., of which sum the Crown provided £2,500. Of the balance of £2,110 3s. 10d., the Council contributed £110 3s. 10d. from its general fund in terms of section 5 of the Scenery Preservation Amendment Act, 1926, and £2,000 from the unexpended balance of a loan for water-supply purposes authorized in 1922. There is no authority in law whereby the Council could use this unexpended balance of a loan to join with the Crown in the purchase of land for scenic purposes. This clause accordingly validates the action of the Council and declares the payment of the sum of £2,000 to have been lawfully made.

Clause 14: Setting-apart Sections 202 and 203, Town of Dobson, for the establishment of a rescue-station in terms of section 6 of the Coal-mines Amendment Act, 1936 (file L. and S. 6/1/598).—Sections 202 and 203, Town of Dobson, area 2 roods, comprise portion of the Westland-Grey Coal Field Reserve which is an endowment of the Greymouth Harbour Board. The sections are included in leasehold rights held by the Grey Valley Collieries, Ltd., for coal-mining purposes, which give that company certain contingent rights to the surface of the land. The sections are eminently suitable for the establishment thereon of a central rescue-station as provided for by section 6 of the Coal-mines Amendment Act, 1936. The Harbour Board and the company are agreeable to the establishment of such a station on the said sections, and this clause frees the land from all trusts and restrictions affecting it, including the contingent surface-rights thereover held by the company, and sets the sections apart for the above-mentioned purpose.

Clause 15: Adding portion of the Buller Coal Field Reserve to the Denniston Domain (file L. and S. 1/89).—The area of 2 acres and 26 perches dealt with in this clause comprises portion of the Buller Coal Field Reserve in the Nelson Land District, and is subject to the provisions of the Westport Harbour Act, 1920. It is desired to add this area to the Denniston Domain to provide an area for tennis-courts and swimming-baths. There is no authority to reserve the land for the purposes indicated. This clause provides the necessary power to set the land apart as an addition to the domain.

Clause 16: Adding portion of the Buller Coal Field Reserve to the Stockton Domain (file L. and S. 1/89/1).—The area of 1 acre 2 roods 28 perches dealt with in this clause comprises portion of the Buller Coal Field Reserve in the Nelson Land District, and is subject to the provisions of the Westport Harbour Act, 1920. It is desired to add this area to the Stockton Domain to provide an area for a swimming-pool. The Westport Coal Co., Ltd., holds coal-mining rights in respect to the land concerned. This company was notified of the proposal to add the land to the Stockton Domain and has advised that it has no objection. This clause accordingly frees the land from all trusts, reservations, and restrictions, including any rights in respect thereof held by the company, and adds the land to the said domain.

Clause 17: Reappointing a disqualified member of the Patutahi Domain Board (file L. and S. 1/10).—During the financial year ended 31st March, 1937, Mr. J. H. Monteith, a member of the Patutahi Domain Board, was concerned in contracts with the Board for which payments exceeding the limit of £25 allowed under section 3 of the Local Authorities (Members' Contracts) Act, 1934, were made to him. Mr. Monteith was automatically disqualified as a member of the Board. As, however, Mr. Monteith has paid into the Board's account the amount he received in excess of the limit of £25 and, as he was the only member living close to the domain, it is desirable that he should be reappointed to the Board. This clause accordingly reappoints Mr. Monteith a member of the Board.

Clause 18: Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau (file L. and S. 25/699).—This clause refers to an area of 32 perches, being Lot 2 of Town of Tamaki Extension No. 59. The land subdivided in this extension comprises land reserved as an endowment for the Auckland Grammar School Board. This subdivision fronts Bucklands Beach, in the County of Manukau, and the Board agreed to transfer Lot 2 thereof to the County Council for the purpose of the erection thereon by that Council of bathing-sheds and sanitary conveniences. The Board has, however,

no authority so to deal with the land, and has accordingly requested that special legislation be provided to vest the said Lot 2 in the County Council. The Education Department has advised that it has no objection to the action asked for by the Board. This clause accordingly vests Lot 2 in the Council in trust as a site for county buildings, and the said land will thereby become subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928.

Clause 19: Revoking the reservation as an endowment for primary education over land in the Town of Pahi, and adding the said land to the Pahi Domain (file L. and S. 6/6/249).—This clause deals with Sections 12 to 16, Town of Pahi, North Auckland Land District, containing 1 acre 1 rood 8 perches. This area is reserved as an endowment for primary education. For many years it was the site of the Pahi School, but some years ago the school building was removed and the Education Board of the district advises that the land will not again be required for school purposes. It is desirable that the area should be added to the Pahi Domain in order that it may be used for camping purposes as the said domain contains only 9 acres 3 roods 35 perches, and considerable difficulty is at present experienced in accommodating visitors and campers. The Education Department has approved of these sections being added to the domain, but, as there is no authority for the revocation of the present reservation thereover, special legislation is required.

Clause 20: Declaring certain land in Nelson Land District to be a scenic reserve, and making provision for payment of compensation to any persons having beneficial interests therein (file L. and S. 4/761).—This section, containing 50 acres, fronts the main highway in the Buller Gorge, and is bounded on both sides for a considerable distance by scenic reserves. The land is in native bush of no commercial value and is of no use for settlement purposes. It was, however, selected and set aside for the benefit of aboriginal Natives when the West Coast Block of the South Island was purchased by the Crown. The land has, however, never been vested in the Natives beneficially entitled thereto, but as it is desirable that it should be set apart as a scenic reserve the clause provides for this change of status and makes provision for payment of compensation to the Natives.

Clause 21: Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain (file L. and S. 4/260).—The area of 9 acres of scenic reserve dealt with in this clause is situated at Governor's Bay in Queen Charlotte Sound. The area is much used by the public as a picnic resort and often by unauthorized camping parties. This clause therefore changes the status of the land to public domain in order that a more efficient supervision thereof may be maintained by the Ngakuta Domain Board, which controls domain land in that vicinity.

Clause 22: Extending leasing-powers with respect to the Pukaahu Hot Springs Domain (file L. and S. 611).—The Pukaahu Hot Springs Domain comprises an area of 10 acres 3 roods 38 perches, situated approximately eight miles by road from Whakatane. The domain contains hot springs of considerable value. The controlling authority, the Whakatane County Council, has endeavoured to arrange a lease of the area under conditions ensuring the early development of the springs to provide up-to-date public bathing facilities at all times at reasonable cost. Difficulty has, however, arisen in arranging a suitable tenancy as public domain land may be leased only for a maximum term of twenty-one years. This clause accordingly provides wider leasing-powers in respect to this domain in order that a satisfactory lease to provide for the development of the springs for the public benefit may be granted.

Clause 23: Adding the reserve described in the Schedule to the Blueskin Recreation Reserve Act, 1876, to the Warrington Domain (file L. and S. 1/551).—The land dealt with in this clause is Section 68A, Block I, Waikouaiti Survey District, containing 73 acres 3 roods, comprising Rabbit Island and two smaller islands in Blueskin Bay, Otago Land District. By the provisions of the Blueskin Recreation Reserve Act, 1876, this area was vested in trustees in trust to be used for recreation purposes only for the inhabitants of the district of Blueskin and the surrounding districts. The original trustees are dead and no new trustees appear to have been appointed. As the eastern arm of Blueskin Bay comprises the Warrington Domain, it is considered that the above reserve could be more effectively administered by adding it to that domain. This clause, besides adding the reserve to the said domain, also repeals the above-mentioned Act of 1876.

Clause 24: Cancelling the reservation as provisional State forest over certain land in the Nelson Land District and declaring it, together with certain Crown land, to be a scenic reserve (file L. and S. 4/602).—The land dealt with in this clause comprises 28,200 acres of land in the vicinity of the Lewis Pass Road, Nelson Land District. Of this area, 16,860 acres comprises provisional State forest reserve and the balance is ordinary Crown land. The land is useless for any purpose other than reservation for its scenic beauty, which is very marked. The State Forest Service has agreed to the area under its administration being reserved for scenic purposes, and the area of Crown land is being similarly reserved in this clause in order to avoid the necessity of carrying out a detailed survey of the respective areas.

Clause 25: Setting-apart portion of the Westport Colliery Reserve as a reserve for public recreation (file L. and S. 1/1010).—Sections 36 and 37, Block II, Steeples Survey District, Nelson Land District, contain 29 acres 10 perches. This area forms portion of the Westport Colliery Reserve which is an endowment for the improvement of the Port of Westport. It is desired to reserve these sections for public recreation, and the Marine Department, which controls the port, has no objection, provided a building and tree-planting restriction is imposed to ensure that the view of certain standard blocks is not obscured. There is no authority whereby portion of this endowment may be reserved for recreation. This clause accordingly so reserves the land and makes it subject to the above restriction.

Clause 26: Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act, 1908. The lands to which this clause relates are at present set apart as public domain, provisional State forest, or as endowments for primary and secondary education. It is desired, as these lands are of special value owing to their scenic beauty, but are mainly unsuitable for settlement, that they should be made subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board. Particular details of the areas as they appear in the Schedule to the Bill are as follows:—

- (1) Area, 116 acres. Comprises steep cliffs in native bush, bare precipices, and also includes the well-known rock pinnacles of Manaia. It is outstanding scenic bush country overlooking Whangarei Harbour.
- (2) Area, 54 acres 6 perches. Adjoins a scenic reserve of 58 acres 3 roods, the whole area being situated between the north arm of West Haven Inlet and the West Coast of the Nelson Land District. The whole area, which is situated about twelve miles from Collingwood, contains two lakes, and is regarded locally as of scenic value.

- (3) Area, 1,965 acres. Situated about twenty miles from Reefton on either side of the West Coast Road as it passes through the Warbeck Valley. The whole area is in native bush and extends to the top of the ridge on each side of the road.
- (4) Area, 192 acres 2 roods 5 perches. Comprises strips of bush along the bank of the Arnold River visible from the line of the Midland Railway. The area is a very popular attraction to residents of and visitors to Moana Township nearby. The area is about eighteen miles from Greymouth.
- (5) Area, 850 acres. Situated at the eastern end of Lake Wahapo. An area of 1,450 acres around the lake-sides is already scenic reserve and is recognized as one of the most beautiful reserves on the Hokitika-Waiho Gorge Road. It is about seventy miles south of Hokitika. By the reservation of this 850-acre area the whole lake will be surrounded by scenic reserve. The area is practically wholly covered by native bush.
- (6) Area, 42 acres 1 rood 36 perches. Situated on the north side of the Catlin's-Waikawa Road. The setting-apart of this bush-covered area for scenic purposes will extend the plan to conserve areas of bush converging on that road.
- (7) Area, 24 acres 2 roods 14 perches. Is a further bush area on the north side of the Catlin's-Waikawa Road.
- (8) Area, 594 acres. Is a further bush area situated on both sides of the Catlin's-Waikawa Road.
- (9) Area, 126 acres 33 perches. Situated alongside part of the Borstal Farm at Otatara. The land carries quite a presentable show of typical native bush within four or five miles of Invercargill.

Clause 27: Abolishing the Moumahaki and Weraroa Endowments (file L. and S. 22/3402).—Following the closing of the Moumahaki and the Weraroa Experimental Farms, the lands comprising these farms were set apart as endowments for agricultural research, experiment, and instruction. The Moumahaki lands were dealt with in section 130 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, and the Weraroa lands in section 12 of the Reserves and other Lands Disposal Act, 1928. In terms of the above legislation the lands have been leased, the administration of the leases being dealt with by the Lands and Survey Department, which retains 5 per cent. of the rents collected to cover administration expenses. The value of these endowments is problematical. The annual amounts available from the endowments (about £2,000 a year) are small compared with the total expenditure under vote "Agriculture," and if they were abolished provision could be made in vote "Agriculture" for the payments now being made out of the endowment funds. This would save the preparation and publishing of annual accounts for the endowments, and would also reduce other work connected with the maintenance of the present distinction between these lands and ordinary Crown lands. This clause accordingly abolishes the endowments as at the 31st March, 1938.

Clause 28: Making provision for the management and administration of the Mount Smart Domain (file L. and S. 1/436).—The Mount Smart Domain comprises 32 acres 2 roods, being a volcanic cone which originally rose to a height of 286 ft. This domain was constituted in 1877 by the Onehunga Endowments Act, which vested the management thereof in the Onehunga Borough Council, subject to the rights of the Government and certain local authorities to extract metal therefrom. By special legislation in 1925, power

to dispose of quarrying-rights was granted to the Borough Council. Quarrying operations have been carried out on no definite plan and it is considered that, in order eventually to make the area suitable for recreation purposes, a definite level of 115 ft. should be fixed below which no quarrying may take place. By special legislation in 1921, it was provided that the funds of this domain and of the Onehunga Domain, the control of which is also vested in the Borough Council, should form a common fund. It is now considered that all moneys received in respect of the Mount Smart Domain should be held in trust for the ultimate improvement of the land for recreation purposes. It is also deemed advisable that the control of this domain should be vested in a Board representative of the Crown and of the local authorities directly interested therein. This clause accordingly repeals all former legislation affecting the domain, cancels the rights thereover vested in the Onehunga Borough Council, and makes the domain subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, whereby a Board as above desired may be appointed and all moneys received in respect of the domain will be retained solely for the management, administration, and improvement thereof. The clause also fixes a level of 115 ft. below which quarrying may not be carried out, and further makes the granting of any quarrying-rights subject to the prior approval of the Minister of Lands. The right of the Railways Department to extract scoria above the level of 115 ft. is protected. The Onehunga Borough Council agrees.

Clause 29: Providing for the revaluation of certain leases and licenses of land in the Boroughs of Te Kuiti and Taumarunui and Town District of Otorohanga (file L. and S. 7/581).—The lands referred to in this clause were originally Native lands but were acquired by the Crown by way of purchase from the Native owners. The bulk of the sections have been dealt with under the regulations issued pursuant to the Native Townships Act, 1910, and section 60 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924. Under the regulations the lessees holding sections under the original Native leases were entitled to purchase their sections from the Crown either for cash or on a system of deferred payment. The price was computed as follows:—

- (a) The amount at which the Crown purchased the fee-simple:
- (b) Two and one-half per cent. of the amount paid in (a) to cover costs of acquisition:
- (c) The amount (if any) by which interest on (a) at 5 per cent. per annum from the date of acquisition of the fee-simple by the Crown to the date on which the lessee gives notice to the Commissioner of Crown Lands of his intention to purchase the freehold would exceed the rental payable under the lease for the same period.

The purchase price is the aggregate of these three sums. Some of the lessees did not convert to the deferred-payments purchase system and still hold their sections under the original leases or renewals thereof. There has been a considerable drop in values in these towns, and it is considered that the question of land value should come under review in relation to the purchase price of the deferred-payment licenses and the rentals of the leases. Those cases which are being dealt with under the Mortgages and Lessees Rehabilitation Act, 1936, will not come under the provisions of this clause. Each case will be considered on its merits and no reduction in purchase price or rental will be granted without the prior approval of the Minister of Lands.

Clause 30: Providing for the improvement of the outlet from Lake Forsyth (file P.W. 401/646).—This clause varies the scheme for the improvement of the outlet contemplated by the Lake Forsyth Drainage Act, 1894, and the Lake Forsyth Lands Vesting Act, 1896. The present lake-outlet blocks frequently, inundating farm lands as well as flooding the main highway through the Wairewa County from Christchurch to Akaroa. The clause provides for the scheme to be carried out by the Minister of Public Works and for subsequent maintenance to be a matter of agreement between the Minister and the local authority. The estimated cost is £16,000, of which £5,000 is to be found by the local authority. Certain reserves which were vested in the local authority to provide funds for this work are dealt with by this clause. One will be freed from its trust character and subsequently vested in the local authority for general county purposes; about 10 acres of the other will become a gravel reserve and the remainder will become Crown land. Existing encumbrances will not be affected.

Hon. Mr. Langstone.

RESERVES AND OTHER LANDS DISPOSAL.

ANALYSIS.

Title.	
1. Short Title.	10. Enabling the Native Land Court of the Cook Islands to determine the ownership of the Island of Takutea.
2. Section 7 of the Canterbury Provincial Buildings Vesting Act, 1928, amended. Repeal.	11. Authorizing the Taumarunui Borough Council to grant a lease to the Taumarunui Fire Board.
3. Authorizing the acquisition of land for sale to the Hawera Co-operative Dairy Factory Co., Ltd.	12. Reserving land for a public cemetery and vesting it in the Corporation of the Borough of Taumarunui.
4. Validating the granting of leases over Subdivisions 1 and 2 of Ruas 161 and 162 (Mokoreta).	13. Validating the payment by the Matamata Borough Council of the balance of a loan for water-supply purposes towards the purchase of land for scenic purposes.
5. Section 20 of Rotorua Town Lands Act, 1920, and the Third Schedule thereto extended.	14. Setting apart Sections 202 and 203, Town of Dobson, for the establishment of a rescue-station in terms of section 6 of the Coal-mines Amendment Act, 1936.
6. Providing for the reclamation of portion of the bed of the Greymouth Harbour.	15. Adding portion of the Buller Coal Field Reserve to the Denniston Domain.
7. Validating payments made by the Ohai Domain Board.	16. Adding portion of the Buller Coal Field Reserve to the Stockton Domain.
8. Revoking the reservation over portion of the Wanganui River Trust Domain and authorizing the incorporation thereof in a lease of adjoining land.	17. Reappointing a disqualified member of the Patutahi Domain Board.
9. Empowering Thames Borough Council to sell portion of its endowment and to apply the proceeds towards the cost of new municipal offices.	

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| 18. Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau. | 24. Cancelling the reservation as provisional State forest over certain land in Nelson Land District and declaring it, together with certain Crown land, to be a scenic reserve. |
| 19. Revoking the reservation as an endowment for primary education over land in the Town of Pahi and adding the said land to the Pahi Domain. | 25. Setting apart portion of the Westport Colliery Reserve as a reserve for public recreation. |
| 20. Declaring certain land in Nelson Land District to be a scenic reserve and making provision for payment of compensation to any persons having beneficial interests therein. | 26. Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act, 1908. |
| 21. Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain. | 27. Abolishing the Moumahaki and Weraroa Endowments. Repeals. |
| 22. Extending leasing powers with respect to the Pukaahu Hot Springs Domain. | 28. Making provision for the management and administration of the Mount Smart Domain. Repeals. |
| 23. Adding the reserve described in the Schedule to the Blueskin Recreation Reserve Act, 1876, to the Warrington Domain. Repeal. | 29. Providing for revaluations under certain leases and licenses of land in Te Kuiti, Taumarunui, and Otorohanga. |
| | 30. Providing for the improvement of the outlet from Lake Forsyth. Schedule. |

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, 1937. 10

Section 7 of the Canterbury Provincial Buildings Vesting Act, 1928, amended. 1928, No. 38 2. (1) Section seven of the Canterbury Provincial Buildings Vesting Act, 1928, is hereby amended as follows:—

(a) By omitting from subsection one the words “ First Schedule hereto (being the site of the Canterbury Provincial Council Chamber)”, and substituting the words “ First and Second Schedules hereto ”: 15

(b) By omitting the word “ building ” wherever it occurs, and substituting in each case the word “ buildings ”. 20

(2) Section eight of the Canterbury Provincial Buildings Vesting Act, 1928, is hereby consequentially repealed.

3. Whereas the land hereinafter described is Native land set apart under the West Coast Settlement (North Island) Act, 1880, and is held under lease for a term of twenty-one years, with perpetual right of renewal, by the Hawera Co-operative Dairy Factory, Company, Limited (hereinafter called the company): And whereas the company desires the Crown to acquire the said land in order that the freehold thereof may be sold to the company: And whereas the Crown may only acquire such land for the purpose of general settlement and the acquisition of the said land by the Crown for sale to the company cannot be considered to be an acquisition for the said purpose: And whereas it is expedient that provision should be made whereby the said land may be sold to the company: Be it therefore enacted as follows:—

Authorizing the acquisition of land for sale to the Hawera Co-operative Dairy Factory Co., Ltd. 1880, No. 39

(1) The land hereinafter described may be acquired by the Crown under the Native Land Act, 1931, in all respects as if the said land were being acquired for general settlement.

See Reprint of Statutes, Vol. VI, p. 103

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

All that area in the Taranaki Land District, containing by admeasurement three acres fourteen perches and four-tenths of a perch, more or less, being Part Lot 4 on plan numbered 673, deposited in the office of the District Land Registrar at New Plymouth, and all the land on plan numbered 3447 (part Ngatitupaea Block), deposited in the said office, and being part Section 4, Block II, Hawera Survey District.

4. Notwithstanding anything to the contrary in the Education Reserves Act, 1928, or in any other Act, the leases granted by the Otago Boys' and Girls' High Schools Board of Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta), Otago and Southland Land Districts, to John Campbell Begg and Eric Thomas Robert Ayson respectively are hereby declared to have been lawfully granted.

Validating the granting of leases over Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta). See Reprint of Statutes, Vol. IV, p. 1003

Section 20
of Rotorua
Town Lands
Act, 1920, and
the Third
Schedule thereto
extended.
1920, No. 57

5. Whereas by section twenty of the Rotorua Town Lands Act, 1920 (hereinafter referred to as the said Act), the lands described in the Third Schedule thereto were declared to be public streets, subject to the proviso that the liability of the respective lessees of the lands whereof the said streets formed part for the formation and metalling of such streets, and for the construction of kerbing, footpaths, drainage, or other works necessary to put such streets in proper order for traffic, should not be deemed to be thereby waived, limited, or otherwise affected: And whereas certain areas were omitted from the said Schedule, and it is desirable that the areas so omitted should be included therein as from the passing of the said Act: And whereas it is expedient whenever any Crown land described in the First and Second Schedules to the said Act and comprised in any lease is laid off for a street that such street should be proclaimed a public street, and that the above-mentioned proviso should apply thereto: Be it therefore enacted as follows:—

(1) The Third Schedule to the said Act is hereby amended as from the passing thereof by the addition thereto of the following descriptions:—

“ Also all those areas in the Auckland Land District, being—

- “(10) Seddon Street and James Street, intersecting Section 37, Suburbs of Rotorua; 25
- “(11) Victoria Street between Ranolf Street and Fenton Street, passing through Sections 17, 18, 19, and 20, Suburbs of Rotorua; 30
- “(12) Strips twenty-five links wide on the eastern side of the Old Tauranga - Taupo Road, passing through Sections 1, 12, and 37, Suburbs of Rotorua, and lying between Pererika Street and Elizabeth Street, between Elizabeth Street and Pretoria Street, between Pretoria Street and Malfroy Street, and between Malfroy Street and the northern boundary of Section 36, Suburbs of Rotorua; 35 40

- 5 “(13) Strips twenty-five links wide on the western side of Old Tauranga – Taupo Road, passing through Sections 74 and 75, Suburbs of Rotorua, and lying between the northern boundary of Section 74, Suburbs of Rotorua, and Konene Street, between Konene Street and Rutland Street, and between Rutland Street and Malfroy Street;
- 10 “(14) Strips twenty-five links wide on the eastern side of Old Tauranga – Taupo Road, passing through Section 33, Suburbs of Rotorua, and lying between Devon Street and Duncan Street, and between Duncan Street and Carlton Street, and between Carlton Street and Sophia Street;
- 15 “(15) Strips twenty-five links wide on the southern side of Devon Street, passing through Section 33, Suburbs of Rotorua, and lying between the last-described street widening and Phillips Street, between Phillips Street and Miller Street, between Miller Street and King Street, and between King Street and the eastern side of Ranolf Street;
- 20 “(16) Strips fifty links wide on the northern side of Sophia Street, passing through Section 33, Suburbs of Rotorua, and lying between the twenty-five link widening of Old Tauranga – Taupo Road previously described and Phillips Street, between Phillips Street and Miller Street, between Miller Street and King Street, and between King Street and the eastern side of Ranolf Street;
- 25 “(17) A strip twenty-five links wide on the northern side of Sophia Street, passing through Section 31, Suburbs of Rotorua, and lying between the western side of Fenton Street and the eastern boundary of Lot 6 on Deposited Plan 2494;
- 30 “(18) Strips fifty links wide on the western side of Nursery Road, passing through Section 25, Suburbs of Rotorua, and lying between the northern boundary of Section 25 aforesaid and Marguerita Street, between Marguerita Street and Peace Street, and between Peace Street and Maida Vale Street:
- 35
- 40
- 45

“ as the same are delineated and coloured sepia on the plan numbered 27004, deposited in the office of the Chief Surveyor at Auckland.”

(2) Whenever any Crown land described in the First or Second Schedule to the said Act and comprised in any lease is laid off for a street the Governor-General may, by Proclamation, declare the said land to be a street, and such Proclamation when gazetted shall be conclusive evidence that the land therein referred to is a public street. The land comprised in any street proclaimed as aforesaid shall be deemed to be included in the Third Schedule to the said Act, and the provisions of section twenty of the said Act shall, so far as they are applicable and with the necessary modifications, apply accordingly with respect thereto.

Providing for the reclamation of portion of the bed of the Greymouth Harbour.

6. (1) The Minister of Public Works may from time to time reclaim the land hereinafter described, or portions thereof, from the sea, and may for that purpose, if he thinks fit, in the name and on behalf of His Majesty the King, enter into contracts with any person for the execution of all or any of the works which may be necessary or expedient in or about the filling-up and reclaiming of such land as aforesaid, upon such terms and conditions as may to him seem proper and reasonable.

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

(2) Such portions of the said land as may from time to time be reclaimed as aforesaid shall become a public reserve within the meaning of the Public Reserves, Domains, and National Parks Act, 1928.

(3) Any reclamation or protective work already executed within the boundaries of the said land is hereby validated and declared to have been lawfully executed.

Ibid., Vol. III, p. 568

(4) This section shall be deemed to be a special Act within the meaning of the Harbours Act, 1923.

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

All that piece of land, being portion of the bed of the Greymouth Harbour, containing an area of approximately twenty-three acres, bounded as follows: Starting at a point marked A on the plan hereinafter mentioned adjacent to Water Walk in the Borough of Greymouth; thence in a north-westerly direction along a line on a bearing of 333° 30' for a distance of 560 links; thence in a northerly direction along a line on a bearing of 17°

30' for a distance of 555 links; thence in a north-easterly direction along a line on a bearing of $65^{\circ} 30'$ for a distance of 390 links; thence in an easterly direction along a line on a bearing of $106^{\circ} 30'$ for a distance of 545 links; thence in a north-easterly direction along a line on a bearing of $39^{\circ} 45'$ for a distance of 1045 links; thence in a northerly direction along a line on a bearing of $351^{\circ} 45'$ for a distance of 555 links; thence in a north-westerly direction along a line on a bearing of $310^{\circ} 30'$ for a distance of 175 links; thence in a westerly direction along a line on a bearing of $267^{\circ} 15'$ to the point marked B on the plan hereinafter mentioned; thence in a southerly direction generally along the original line of mean high-water mark to the point of commencement: as the same is more particularly delineated on the plan marked P.W.D. 97804, deposited in the office of the Minister of Public Works at Wellington, and thereon edged red.

7. Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act, the payments made during the financial year ended the thirty-first day of March, nineteen hundred and thirty-seven, and the financial year ending the thirty-first day of March, nineteen hundred and thirty-eight, by the Ohai Domain Board to Thomas Todd in respect of services rendered by him as the Board's Supervisor 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 Thomas Todd.

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

8. Whereas by section nine of the Wanganui River Trust Act, 1891, the Governor-General is empowered to declare by Proclamation any lands within the district under the jurisdiction of the Wanganui River Trust to be a public domain: And whereas by Proclamation published in the *Gazette* of the twenty-ninth day of December, eighteen hundred and ninety-two, the land described in the Schedule to the said Proclamation, comprising thirty-three thousand and thirty-three acres, more or less, was set apart as a public domain and placed under the control of the said Trust: And whereas it is desired that the reservation over the portion of the said

Revoking the reservation over portion of the Wanganui River Trust Domain and authorizing the incorporation thereof in a lease of adjoining land. 1891 (Local), No. 19

public domain hereinafter described should be revoked, the vesting of the control thereof in the said Trust cancelled, and the said portion incorporated in a renewable lease of adjoining Crown land: Be it therefore enacted as follows:—

5

(1) The reservation as a public domain over the land hereinafter described is hereby revoked, and the vesting of the control thereof in the Wanganui River Trust is hereby cancelled, and the said land is hereby declared to be Crown land subject to the provisions of the Land Act, 1924.

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

(2) The land hereinafter described is hereby incorporated in the renewable lease numbered 338 of Section 12, Block I, Hunua Survey District, Wellington Land District, and, upon the application of the Commissioner of Crown Lands for the said District, the District Land Registrar of the Wellington Land Registration District is hereby empowered and directed to make an appropriate entry, in respect of the said incorporation, on the lease for the said section which is retained in his office, forming folium 260 of Volume 378 of the Register-book, and also upon the outstanding copy thereof.

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

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All that area in the Wellington Land District, containing by admeasurement twenty-three perches and two-tenths of a perch, more or less, being part of Reserve E, Block I, Hunua Survey District: as the same is more particularly delineated on the plan marked L. and S. 1/440/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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Empowering
Thames
Borough
Council to
sell portion
of its
endowment and
to apply the
proceeds
towards the
cost of new
municipal
offices.
1876, No. 52
1898, No. 39

9. Whereas pursuant to the authority of section three hundred and fifty of the Municipal Corporations Act, 1876, and of section thirteen of the Reserves, Endowments, and Crown and Native Lands Exchange, Sale, Disposal, and Enabling Act, 1898, the land hereinafter described was vested in the Corporation of the Borough of Thames, in trust as an endowment for the borough funds: And whereas the Thames Borough Council has been unable profitably to deal with the said land by way of lease and desires to be empowered to sell the said land

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by public auction and to apply the proceeds of such sale towards the cost of the erection of new municipal offices: And whereas the Council has by notices published in newspapers circulating in the locality advertised the intention to obtain authority to sell the said land and no objections have been received to the sale thereof in the manner and for the purpose above mentioned: Be it therefore enacted as follows:—

5
10 (1) Notwithstanding anything to the contrary in any Act, the Thames Borough Council is hereby empowered to sell, by public auction, the land hereinafter described, freed and discharged from the trusts, reservations, and restrictions affecting the same.

15 (2) The proceeds of such sale shall be applied towards the cost of the erection of new municipal offices within the Borough of Thames.

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

20 All that area in the Auckland Land District, Piako County, containing by admeasurement eighteen hundred and ninety-seven acres two roods, 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
25 Survey District, and portions of Te Tautiti No. 1, Wharekahu, Kahamiroi, Ruahine Nos. 1 and 2, Ahikope No. 1 and Totarapapa Blocks, and being the whole of the land comprised in certificate of title, Volume 477, folio 122, Auckland Registry: as the same is more
30 particularly delineated on a plan marked L. and S. 58282, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

10. Whereas on the nineteenth day of December, nineteen hundred and two, the Cook Islands Land Titles
35 Court sitting at Rarotonga awarded the Island of Takutea to Ngamaru Ariki: And whereas the said Ngamaru Ariki thereupon gave the said Island of Takutea to His Majesty the King for the benefit of His Majesty's subjects in the Cook Group: And whereas
40 on the day above mentioned the said Court made an Order that the said island should be, as from the thirty-first day of March, nineteen hundred and three, reserved

Enabling the Native Land Court of the Cook Islands to determine the ownership of the Island of Takutea.

and vested in His Majesty the King, his heirs and successors, for the general benefit of the people of the Cook Islands: And whereas the claim of the said Ngamaru Ariki to own the said island and his right to give the said island to His Majesty as hereinbefore recited have been in dispute since the above-mentioned Order of the said Court was made: And whereas it has been found upon inquiry that the said island was originally owned by the Native owners of the Island of Atiu: And whereas it is desirable that the said Island of Takutea should be vested in the Native owners of the Island of Atiu: Be it therefore enacted as follows:—

The said Island of Takutea is hereby freed from all trusts and reservations heretofore affecting it, and is hereby declared to be customary land within the meaning of the Cook Islands Act, 1915, and the Native Land Court of the Cook Islands shall have and shall exercise exclusive jurisdiction to investigate the title to the said island according to the Native customs and usages of the Cook Islands, and to determine the names of the persons entitled thereto and to specify their relative interests therein.

See Reprint
of Statutes,
Vol. II, p. 658

Authorizing
the Taumarunui
Borough
Council to
grant a lease
to the
Taumarunui
Fire Board.
Ibid.,
Vol. VI, p. 1141

11. Whereas Section 7, Block III, Taumarunui Native Township, Auckland Land District, is a public reserve vested in the Corporation of the Borough of Taumarunui in trust for municipal purposes: And whereas by virtue of section fourteen of the Public Reserves, Domains, and National Parks Act, 1928, the said section may be leased only by public auction or by public tender: And whereas the Taumarunui Borough Council desires to grant to the Taumarunui Fire Board a lease of the said section for a term of sixty-six years for the purpose of erecting and maintaining a fire-brigade station thereon: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act, the Taumarunui Borough Council is hereby authorized to grant to the Taumarunui Fire Board a lease of Section 7, Block III, Taumarunui Native Township, Auckland Land District, containing by admeasurement one rood and eight perches, more or less, or of any part thereof, for a term of sixty-six years commencing not later than the first day of

January, nineteen hundred and thirty-nine, at a peppercorn rental, and any lease so granted shall include a covenant by the said Board to pay all rates and taxes for or in respect of the said section or any

5 part thereof and shall include such other covenants, conditions, and provisions, not inconsistent with this section, as the said Council shall think fit, and the said Council may accept a surrender of any lease so granted.

12. Whereas the land hereinafter described, situated
10 within the Borough of Taumarunui, comprises portion of an area along the bank of the Ongarue River reserved from sale or other disposition pursuant to section one hundred and twenty-nine of the Land Act, 1924: And whereas the said land adjoins a reserve for
15 a public cemetery vested in the Corporation of the said borough: And whereas it is desirable to reserve the said land for the purpose of a public cemetery and to vest it in the said Corporation in trust for that purpose: Be it therefore enacted as follows:—

20 Notwithstanding anything to the contrary in the Land Act, 1924, or in the Cemeteries Act, 1908, Section 2, Block I, Piopotea Survey District, Auckland Land District, containing by admeasurement thirty perches, more or less, is hereby reserved for the purpose of a
25 public cemetery, and is hereby vested in the Corporation of the Borough of Taumarunui in trust for the said purpose.

13. Whereas the Matamata Borough Council (hereinafter referred to as the Council) joined with the Crown
30 in the acquisition for scenic purposes of the land hereinafter described: And whereas out of the total purchase price of four thousand six hundred and ten pounds three shillings and tenpence, the Council provided two thousand one hundred and ten pounds three shillings
35 and tenpence: And whereas of the last-mentioned sum one hundred and ten pounds three shillings and tenpence was paid by the Council out of its General Fund pursuant to section five of the Scenery Preservation Amendment Act, 1926, and the balance of two thousand pounds paid
40 by the Council represented the unexpended balance of a loan authorized in the year nineteen hundred and twenty-two for water-supply purposes: And whereas the Council had no authority in law so to deal with the

Reserving land for a public cemetery and vesting it in the Corporation of the Borough of Taumarunui. See Reprint of Statutes, Vol. IV, p. 684

Ibid., Vol. I, p. 731

Validating the payment by the Matamata Borough Council of the balance of a loan for water-supply purposes towards the purchase of land for scenic purposes.

Ibid., Vol. VIII, p. 622

unexpended balance of the said loan: And whereas it is expedient to validate the action of the Council: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act or rule of law, the payment by the Council of the sum of two thousand pounds, being the balance of a loan authorized for water-supply purposes in the year nineteen hundred and twenty-two, towards the purchase for scenic purposes of the land hereinafter described is hereby validated and declared to have been lawfully made.

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

All that area in the Auckland Land District, containing by admeasurement four thousand four hundred and seventy-seven acres and twenty-eight perches, more or less, being all the land comprised in certificate of title, Volume 265, folio 237, Auckland Registry, and also all that area in the Auckland Land District, containing by admeasurement thirteen acres two roods and thirty-five perches, more or less, being part of Lot 12 on plan numbered 6606, deposited in the Auckland Registry, and being part of the land on plan numbered 7148, deposited in the said Registry, the said area being part of the land comprised in certificate of title, Volume 655, folio 70, of the said Registry: as the same is more particularly delineated on the plan marked L. and S. 22/2731, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

14. Whereas Sections 202 and 203, Town of Dobson, Westland Land District, comprise portion of the Westland-Grey Coal Field Reserve set apart by and described in the First Schedule to the Westland and Nelson Coal Fields Administration Act, 1877, and are now administered in accordance with the provisions of the Greymouth Harbour Board Act, 1884, as an endowment of the Greymouth Harbour Board: And whereas the Grey Valley Collieries, Limited, a duly incorporated company (hereinafter referred to as the company) holds coal-mining rights over the said sections by virtue of deeds of lease made on the sixth day of December, nineteen hundred and twenty, and the seventeenth day of January, nineteen hundred and twenty-eight, between His Majesty the King as lessor and the company as

Setting apart Sections 202 and 203, Town of Dobson, for the establishment of a rescue-station in terms of section 6 of the Coal-mines Amendment Act, 1936. 1877 (Local), No. 73 1884 (Local), No. 11

lessee under the provisions of the Coal-mines Act, 1925: And whereas it is desirable that the said sections should be made available for the establishment thereon of a rescue-station in terms of section six of the Coal-mines

See Reprint of Statutes, Vol. V, p. 243

1936, No. 51

- 5 Amendment Act, 1936: And whereas the said Board has agreed to the said sections being made so available and the company has agreed to waive any contingent surface-rights to the said sections which it may have by virtue of the said deeds of lease: Be it therefore
- 10 enacted as follows:—

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act, 1877, or in the Greymouth Harbour Board Act, 1884, or in any other Act, Sections 202 and 203, Town of Dobson,

15 Westland Land District, containing two roods, more or less, are hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting them and from any contingent surface-rights to which the company may be entitled as hereinbefore mentioned, and

20 the said sections are hereby set apart for the purpose of the establishment and maintenance thereon of a rescue-station in all respects as if the said sections had been acquired for that purpose under the provisions of section six of the Coal-mines Amendment Act, 1936.

- 25 15. Whereas Section 41, Block VI, Kawatiri Survey District, Nelson Land District, is portion of the Buller Coal Field Reserve which was set apart by and described in the Third Schedule to the Westland and Nelson Coal Fields Administration Act, 1877, and is now
- 30 administered in accordance with the provisions of that Act and of the Westport Harbour Act, 1920: And whereas it is desirable that the said section should be brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928, and added to the
- 35 Denniston Domain: Be it therefore enacted as follows:—

Adding portion of the Buller Coal Field Reserve to the Denniston Domain.
1877 (Local),
No. 73

See Reprint of Statutes, Vol. III, p. 675; Vol. VI, p. 1148

- Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act, 1877, or in any other Act, Section 41, Block VI, Kawatiri
- 40 Survey District, Nelson Land District, containing two acres and twenty-six perches, more or less, is hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting it, and the said section is hereby declared to be subject to the provisions of
- 45 Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Denniston Domain.

Adding portion
of the Buller
Coal Field
Reserve to
the Stockton
Domain.

1877 (Local),
No. 73

See Reprint
of Statutes,
Vol. III,
p. 675

Ibid.,
Vol. VI, p. 1148

Reappointing
a disqualified
member of the
Patutahi
Domain Board.

1934, No. 17

16. Whereas Section 8, Block VII, Ngakawau Survey District, Nelson Land District, comprises portion of the Buller Coal Field Reserve which was set apart by and described in the Third Schedule to the Westland and Nelson Coal Fields Administration Act, 1877, and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act, 1920: And whereas the Westport Coal Company, Limited, a duly incorporated company (hereinafter referred to as the company) holds coal-mining rights over the said section: And whereas it is desirable that the said section should be brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928, and added to the Stockton Domain: And whereas the company has agreed to the said section being added to the said domain: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act, 1877, or in any other Act, Section 8, Block VII, Ngakawau Survey District, Nelson Land District, containing one acre two roods and twenty-eight perches, more or less, is hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting it and from any contingent surface-rights to which the company may be entitled as hereinbefore mentioned, and the said section is hereby declared to be subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Stockton Domain.

17. Whereas John Hubert Monteith, a member of the Patutahi Domain Board, was interested in a contract made by the said Board whereby during the financial year ended the thirty-first day of March, nineteen hundred and thirty-seven, the said Board made payments exceeding twenty-five pounds, and the said John Hubert Monteith thereby, in pursuance of the provisions of the Local Authorities (Members' Contracts) Act, 1934, became incapable of continuing to hold office as a member of the said Board: And whereas it is desirable that the services of the said John Hubert Monteith as member of the said Board should be retained: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Authorities (Members' Contracts) Act, 1934, or in any other Act, John Hubert Monteith is hereby appointed a member of the Patutahi Domain Board.

18. Notwithstanding anything to the contrary in the Auckland Grammar School Act, 1899, or in any other Act, Lot 2 on plan numbered 27595, deposited in the office of the District Land Registrar at Auckland, containing thirty-two perches, more or less, and being part of the land comprised in certificate of title, Volume 357, folio 173, Auckland Registry, is hereby set apart for the purpose of a site for county buildings and is hereby vested in the Corporation of the County of Manukau in trust for the aforesaid purpose.
19. Whereas the land hereinafter described is reserved as an endowment for primary education: And whereas it is desirable that the reservation over the said land should be revoked and that the said land should be brought under the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, as an addition to the Pahi Domain: Be it therefore enacted as follows:—
- Notwithstanding anything to the contrary in the Education Reserves Act, 1928, or in any other Act, the reservation as an endowment for primary education over Sections 12, 13, 14, 15, and 16, Town of Pahi, North Auckland Land District, containing by admeasurement one acre one rood and eight perches, more or less, is hereby revoked and the said sections are hereby declared to be subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Pahi Domain.
20. Whereas the land described in subsection *four* hereof was selected and set aside for the benefit of aboriginal Natives at the time when the West Coast Block of the South Island was purchased by the Crown: And whereas the said land has never been vested in the Natives for whose benefit it was so set aside: And whereas it is desirable that the said land should be set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board, and that provision should be made for the payment of adequate compensation therefor to the Natives beneficially entitled thereto or to their successors: Be it therefore enacted as follows:—
- (1) The land described in subsection *four* hereof is hereby freed from all trusts and reservations heretofore affecting it and is hereby declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908.

Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau. 1899 (Local), No. 11

Revoking the reservation as an endowment for primary education over land in the Town of Pahi and adding the said land to the Pahi Domain.

See Reprint of Statutes, Vol. VI, p. 1148; Vol. IV, p. 1003

Declaring certain land in Nelson Land District to be a scenic reserve and making provision for payment of compensation to any persons having beneficial interests therein.

Ibid., Vol. VIII, p. 613

(2) The Native Land Court is hereby empowered and directed to inquire into and determine the identity and relative shares of all persons beneficially entitled to any interest in the land described in subsection *four* hereof, the amount of adequate compensation payable in respect of the loss thereof, and the manner in which the amount of compensation so determined shall be paid to the persons entitled thereto. 5

(3) The decision of the Native Land Court in regard to the matters mentioned in the *last preceding* subsection shall be forwarded to the Minister charged for the time being with the administration of the Scenery Preservation Act, 1908, and thereupon the amount of compensation as determined by the said Court may be paid without further authority than this section out of moneys appropriated by Parliament for the acquisition of scenic reserves. 10 15

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

All that area in the Nelson Land District, containing fifty acres, more or less, being Section 45, Block IV, Ohika Survey District. 20

Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain.

21. Whereas the land hereinafter described forms portion of a reserve for scenic purposes set apart by Proclamation published in the *Gazette* of the eighth day of August, nineteen hundred and twelve: And whereas it is desirable that the reservation thereover for scenic purposes should be revoked and that the said land should be brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as an addition to the Ngakuta Domain: Be it therefore enacted as follows:— 25 30

(1) The reservation for scenic purposes over the land hereinafter described is hereby revoked, and the said land is hereby declared to be subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to be part of the Ngakuta Domain. 35

See Reprint of Statutes, Vol. VI, p. 1148

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

All that area in the Marlborough Land District, containing by admeasurement nine acres, more or less, being part of Section 13, Block XI, Linkwater Survey District, and bounded as follows: Towards the north by 40

- a road one chain wide along the shores of Governor's Bay; towards the east, 1198 links, by the original boundaries of the Whenuanui Native Block; towards the south by the Picton-Grove Road; and towards the west,
- 5 552.8 links, by the Ngakuta Native Block: as the same is more particularly delineated on the plan marked L. and S. 4/260, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.
- 10 **22.** Whereas by section two of the Reserves and other Lands Disposal Act, 1933, an area of ten acres three roods thirty-eight perches, more or less, being part of Section 12, Rangitaiki Parish, Block VII, Rangitaiki Upper Survey District, was set apart as a public domain,
- 15 subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928 (hereinafter referred to as the said Act), under the name of the Pukaahu Hot Springs Domain (hereinafter referred to as the said domain), and the Whakatane
- 20 County Council was appointed the Domain Board in respect thereof: And whereas hot springs of considerable value are contained within the said domain, and it is desirable that they should be developed for the public benefit: And whereas with that end in view it
- 25 is expedient that the Governor-General should be empowered to lease the whole or any part of the said domain on such terms and conditions as may seem to be desirable in the public interest: Be it therefore enacted as follows:—
- 30 (1) Notwithstanding anything to the contrary in the said Act, the Governor-General may from time to time lease the whole or any portion of the said domain, including any land which may hereafter be added thereto, for such period not exceeding twenty-one years,
- 35 with such rights of renewal, and subject to such rents and conditions and in such manner and form as he thinks fit, and may accept any surrender of any lease so granted by him.
- 40 (2) The leasing-powers conferred by this section are in addition to and not in substitution for the powers of leasing conferred with respect to the said domain by the said Act.

Extending
leasing powers
with respect
to the
Pukaahu
Hot Springs
Domain.
1933, No. 45
See Reprint
of Statutes,
Vol. VI,
p. 1148

Adding the reserve described in the Schedule to the Blueskin Recreation Reserve Act, 1876, to the Warrington Domain.

1876, No. 33

See Reprint of Statutes, Vol. VI, p. 1148

23. Whereas the land described in the Schedule to the Blueskin Recreation Reserve Act, 1876, was by that Act vested in trustees in trust to be used for recreation purposes only for the inhabitants of the District of Blueskin and the surrounding districts: And whereas the original trustees are dead and no steps appear to have been taken to have further trustees appointed: And whereas it is expedient that the said reserve should be brought under the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and added to the Warrington Domain: Be it therefore enacted as follows:—

(1) The land described in the Schedule to the Blueskin Recreation Reserve Act, 1876, is hereby declared to be subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Warrington Domain.

Repeal.

(2) The Blueskin Recreation Reserve Act, 1876, is hereby consequentially repealed.

Cancelling the reservation as provisional State forest over certain land in Nelson Land District and declaring it, together with certain Crown land, to be a scenic reserve.

See Reprint of Statutes, Vol. III, p. 425; Vol. IV, p. 622; Vol. VIII, p. 613

24. Whereas the land hereinafter described comprises certain provisional State forest reserve set apart by Proclamation published in the *Gazette* of the twenty-fifth day of March, nineteen hundred and twenty, subject to the provisions of the Forests Act, 1921–22, and also certain Crown land subject to the provisions of the Land Act, 1924: And whereas it is desirable that the said land should be reserved as a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board: Be it therefore enacted as follows:—

(1) The reservation as provisional State forest over so much of the land hereinafter described as is subject thereto is hereby revoked and the whole of the said land is hereby declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908.

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

All that area in the Nelson Land District, containing by admeasurement twenty-eight thousand two hundred acres, more or less, bounded as follows: Commencing at a point being the north-eastern corner of Section 1, Block IV, Lewis Survey District; thence towards the north-east, north, and north-west generally by provisional State forest and Crown land by lines 110° 19' 30", 5814 links; 132°, 8000 links; 116°, 45

- 7500 links; 100°, 6600 links; 118° 15', 2000 links; 85° 30', 1000 links; 70° 45', 2500 links; 347° 30', 3600 links; 38°, 3600 links; 77° 30', 2500 links; 84°, 2500 links; 76° 30', 5500 links; 76° 15', 10000 links;
- 5 44° 45', 6500 links; 77° 30', 5500 links; 52° 45', 4500 links; 41°, 9500 links; 35° 30', 12000 links; 21° 30', 4500 links; 32° 30', 5500 links; 122°, 5800 links; 40° 45', 7000 links; and 101° 30', 1700 links, be all the aforesaid linkages a little more or less, to the Canterbury
- 10 Land District boundary; thence towards the east, south-east, and south generally by the aforesaid boundary to its junction with the Westland Land District boundary; thence towards the west, south-west, and south generally by the last-mentioned boundary to the south-eastern
- 15 corner of Section 2, Block VII, of the said survey district; thence towards the north-west generally by the said Section 2 and by Sections 18, 1, 14, and 17, Block III, of the said survey district to a public road; thence on the north generally by the said public road
- 20 to the south-western boundary of Section 2, Stock Reserve, Block IV, of the said survey district and by that section to its south-eastern corner; thence towards the north-east, north, west, south, and south-west by part Section 2, Square 182, of the said Block IV, and
- 25 Block I, Travers Survey District; thence towards the north-west generally by Section 1, Block IV, Lewis Survey District, to the point of commencement: as the same is more particularly delineated on the plan marked L. and S. 4/602, deposited in the Head Office, Department
- 30 of Lands and Survey, at Wellington, and thereon edged red and yellow.

25. Whereas by virtue of section seven of the Reserves and other Lands Disposal Act, 1932, the land hereinafter described comprises portion of the Westport
- 35 Colliery Reserve described in the Fourth Schedule to the Westland and Nelson Coal Fields Administration Act, 1877, and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act, 1920: And whereas it is desirable to set the said
- 40 land apart as a reserve for public recreation subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928: Be it therefore enacted as follows:—

- 45 Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act,

Setting apart portion of the Westport Colliery Reserve as a reserve for public recreation. 1932, No. 24 1877 (Local), No. 73 See Reprint of Statutes, Vol. III, p. 675; Vol. VI, p. 1134

1877, or in the Westport Harbour Act, 1920, or in any other Act, Sections 36 and 37, Block II, Steeples Survey District, Nelson Land District, containing by admeasurement twenty-nine acres and ten perches, more or less, are hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same and are hereby set apart as a reserve for public recreation subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928:

Provided that, except with the prior consent in writing of the Minister of Marine, no building or erection of any nature whatsoever shall be built, erected, or placed, and no tree or shrub of any kind shall be planted, on the said Section 36.

26. Whereas the lands described in the Schedule to this Act are vested in the Crown for the purposes specified in the said Schedule: And whereas it is desirable that the said lands should be reserved as scenic reserves subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the reservations over the lands described in the Schedule to this Act are hereby revoked and the said lands are hereby declared to be scenic reserves and to be subject to the provisions of the Scenery Preservation Act, 1908.

27. 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 land was set apart as an endowment 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 on the eleventh day of March, nineteen

Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act, 1908. See Reprint of Statutes, Vol. VIII, p. 613

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

1928, No. 46
1929, No. 18

hundred and thirty, and published in the *Gazette* of the thirteenth day of the same month, certain land was declared to be a public reserve under the Public Reserves, Domains, and National Parks Act, 1928, and

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

5 does not now comprise portion of the endowment set apart by the said section twelve: 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 declare
10 the said lands to be ordinary Crown land subject to the provisions of the Land Act, 1924, and to make provision for the disposal of all proceeds held or accruing from the said endowments: Be it therefore enacted as follows:—

Ibid.,
Vol. IV, p. 622

15 (1) The setting-apart as endowments for the purposes above mentioned of the lands described in subsection four of section one hundred and thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, and in subsection five of section
20 twelve of the Reserves and other Lands Disposal Act, 1928, and in subsections three and four of section eight of the Reserves and other Lands Disposal Act, 1929, excepting thereout the land described in the Schedule to the Order in Council above mentioned, is hereby
25 revoked and the said lands are hereby declared to be freed and discharged from all trusts and reservations heretofore affecting the same and are hereby further declared to be ordinary Crown land under the Land Act, 1924.

30 (2) All proceeds held or accruing from the lands declared to be ordinary Crown land by the *last preceding* subsection shall be disposed of in terms of section twenty of the Land Act, 1924.

35 (3) Section one hundred and thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, section twelve of the Reserves and other Lands Disposal Act, 1928, section eight of the Reserves and other Lands Disposal Act, 1929, and section eighteen of the Reserves and other Lands Disposal Act, 1931, are
40 hereby repealed.

Repeals.

1931, No. 41

(4) This section shall come into force on the first day of April, nineteen hundred and thirty-eight.

Making
provision for
the
management
and
administration
of the Mount
Smart Domain.
1877 (Local),
No. 63
1860, No. 32

1921, No. 59

1925, No. 46

28. Whereas by section four of the Onehunga Endowments Act, 1877, the management of the land described in subsection *seven* hereof, now known as the Mount Smart Domain (hereinafter referred to as the said domain), was vested in the Onehunga Borough Council, subject to the provisions of the Public Domains Act, 1860, and subject also to the rights of the Government and of certain local authorities to take metal therefrom: And whereas the said Council is also the Board in which is vested the control of the Onehunga Domain, and by section eighty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921, it was provided that all moneys held or received by the said Council in respect of either of the said domains should form one common fund: And whereas by section seventeen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1925, the said Council was empowered to lease or grant exclusive licenses to quarry portions of the said domain and to use all revenues received therefrom exclusively in or towards the embellishment of the said domain: And whereas the said Council expended certain of the said revenues otherwise than in or towards the embellishment of the said domain and it is desired to validate such expenditure: And whereas it is desirable that a level should be fixed below which quarrying may not be carried out in order to ensure that the said domain eventually shall be suitable for public recreation: And whereas it is also desirable that the control of the said domain should be vested in a special Board more representative of the local authorities interested therein: And whereas the said Council has agreed to relinquish control of the said domain: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the land described in subsection *seven* hereof is hereby freed and discharged from the trusts, reservations, and restrictions heretofore affecting it, and all rights of control and management thereover heretofore vested in the Onehunga Borough Council are hereby cancelled, and all acts of the said Council in respect of the expenditure of the said revenues as aforesaid otherwise than in or towards the embellishment

of the said domain are hereby declared to have been validly done. The said land, known and hereinafter referred to as the Mount Smart Domain, is hereby declared to be a public domain subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928.

See Reprint
of Statutes,
Vol. VI, p. 1148

(2) The Minister of Railways may from time to time and at all times quarry scoria for railway purposes from the Mount Smart Domain, subject, however, to the provisions of subsection *four* hereof, and to the payment to the funds of the Board of the said domain of a royalty of *one* penny for each cubic yard of scoria so quarried or extracted on or after the first day of September, nineteen hundred and thirty-six, and whether before or after the passing of this Act.

(3) Any Board in which the control of the Mount Smart Domain is for the time being vested may grant licenses to quarry thereon upon such terms and conditions, not inconsistent with this section, as may be prescribed or approved by the Minister of Lands.

(4) Except with the prior consent in writing of the Minister of Lands, no scoria or other metal shall be quarried or extracted from the said domain below a level of one hundred and fifteen feet above sea-level.

(5) The Minister of Lands may direct the payment into the funds of the Board of the Mount Smart Domain of such portion as he thinks fit of the moneys standing to the credit of the common fund established by section eighty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921, and such payment shall be made under the authority of this section.

(6) Section four of the Onehunga Endowments Act, 1877, section eighty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1921, and section seventeen of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1925, are hereby repealed.

Repeals.

(7) The Mount Smart Domain referred to in this section is particularly described as follows:—

All that area in the North Auckland Land District, containing thirty-two acres and two roods, more or less, being Allotment 22 of Section 17, Suburbs of Auckland.

Providing for revaluations under certain leases and licenses of land in Te Kuiti, Taumarunui, and Otorohanga.
See Reprint of Statutes, Vol. IV, p. 358
1924, No. 55

29. (1) This section applies—

(a) To all deferred payment licenses of any land that is situated within the Borough of Te Kuiti, the Borough of Taumarunui, or the Town District of Otorohanga, and has been acquired by the Crown, if they were granted under the Native Townships Act, 1910, or under section sixty of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1924, or were granted in substitution (whether mediately or immediately) for any such license so granted: 5

(b) To all leases of any land that is situated as aforesaid and has been acquired by the Crown if they were granted by or on behalf of the Native owners or by a Maori Land Board or were granted in renewal (whether mediately or immediately) of any such lease so granted. 15

(2) The lessee or licensee under any lease or license to which this section applies may, subject to the provisions of this section and on payment of a valuation fee to be prescribed by the Minister of Lands, apply to the Auckland Land Board for a reduction in the rent payable under the lease or for a reduction in the amount payable under the license, as the case may be. 20 25

(3) Subject to the provisions of this section, the provisions of the Land Act, 1924, and of any regulations made under that Act, shall, so far as they are applicable and with the necessary modifications, apply with respect to every application under this section and with respect to every reduction made on any such application, as if the application were made under section two hundred and sixteen of that Act in respect of rural Crown lands. 30

(4) In the case of an application by a lessee, the committee to which the application is submitted by the Board pursuant to the said section two hundred and sixteen shall assess the rental value of the land, exclusive of the improvements effected by the lessee. If the rental value as so determined is less than the rent payable under the lease the rent may, as from a date to be fixed by the Minister of Lands, be reduced to such amount (being not less than the rental value as determined by the committee) as the Minister may 35 40

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

deem just and equitable, having regard to the financial position of the lessee and to all other relevant considerations.

5 (5) In the case of an application by a licensee, if
the value of the land, exclusive of the value of
improvements, as determined by the said committee, is
less than the amount outstanding in respect of purchase-
money at the date of the valuation, the amount
outstanding may, as from a date to be fixed by the
10 Minister of Lands, be reduced to such amount (being
not less than the value of the land as so determined)
as the Minister may deem just and equitable, having
regard to the financial position of the licensee and to
all other relevant considerations.

15 (6) This section shall not apply in any case where
an application for an adjustment of the liabilities of
the lessee or licensee has been made under the
Mortgagors and Lessees Rehabilitation Act, 1936.

1936, No. 33

20 (7) No application under this section shall be
received by the Board at any time later than six months
after the passing of this Act.

(8) Where a reduction is made under this section
in the rent payable under any lease or in the amount
payable under any license, the lessee or licensee shall
25 not be entitled, at any time within five years after the
date of the reduction, to assign or otherwise dispose of
his interest in the land subject to the lease or license
(except by way of mortgage), or to sublet the land,
except with the prior consent of the Board and of the
30 Minister of Lands. The restriction imposed by this
subsection shall be in addition to and not in substitution
for any other restrictions upon the disposal of the lease
or license. The certificate of the reduction to be
forwarded by the Commissioner of Crown Lands to the
35 District Land Registrar, and the memorandum thereof
to be noted by the District Land Registrar, pursuant to
the regulations in that behalf, shall include a reference
to the restriction imposed by this subsection. Without
limiting the provisions of subsection *three* hereof, it is
40 expressly declared that the provisions of subsections
seven and eight of section two hundred and sixteen of
the Land Act, 1924 (as modified in the case of licenses
by section twelve of the Land Laws Amendment Act,
1927), shall apply with respect to every lease or license
45 under which a reduction is made as aforesaid.

Providing
for the
improvement
of the outlet
from Lake
Forsyth.

30. Whereas certain land (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 land comprised in certificate of title, Volume 158, folio 250, Canterbury Registry, is 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 Lake Forsyth into the sea in times of flood: And whereas certain land (hereinafter referred to as Reserve 3185) containing two hundred and thirty-three acres one rood and three perches, more or less, situated in the Ellesmere Survey District, and being all the land comprised in certificate of title, Volume 182, folio 104, Canterbury Registry, is now vested in the Corporation for an estate in fee-simple upon trust for the purpose of enabling the Corporation to erect drainage-works by which the annually-recurring loss and injury caused by the flood-waters of Lake Forsyth may be prevented: And whereas certain moneys, being rents collected by or owing to the Corporation in respect of the said Reserves 3586 and 3185, now stand to the credit of an account in the books of the Corporation known as the Lake Forsyth Endowment Account and are subject to the above-mentioned trusts affecting the said Reserves 3586 and 3185: And whereas it is expedient to make provision as hereinafter provided: Be it therefore enacted as follows:—

(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.

(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 whole or any part or parts of the moneys to be paid by the Council pursuant to the *last preceding* subsection may be borrowed by the Council by way of a special loan or special loans under the Local Bodies' Loans Act, 1926, without taking the steps described in sections nine to thirteen of that Act.

See Reprint
of Statutes,
Vol. V,
p. 360

(4) The Council may from time to time enter into such agreements 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 work to be done or for payments to be made by the Council over a period of years.

(5) With the prior consent of the Minister of Finance 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 recited.

(6) The Governor-General may, by Order in Council, declare Reserve 3586, and such part of Reserve 3185 as lies to the north-west of the Christchurch-Little River railway-line, to be respectively freed and discharged from the trusts affecting them as hereinbefore recited and to be respectively held by the Corporation upon such trusts or for such purposes as may be specified in the Order.

(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 ordinary Crown land under the Land Act, 1924. All proceeds held or accruing from the said land after it has been declared to be ordinary Crown land as aforesaid shall be disposed of in terms of section twenty of the Land Act, 1924.

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

(8) Every Order in Council under this section shall 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 Canterbury Land Registration District shall register the same without fee, and shall make such entries in the Register and take such other action as may be necessary to give full effect to the provisions of this subsection.

(9) No Order in Council issued under this section in respect of any land shall be deemed to affect any lease or other encumbrance to which the land is subject.

Schedule.

SCHEDULE.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
1	Allotments 62A and 77A, Parish of Manaia, in the North Auckland Land District, containing 116 acres, more or less (L. and S. 4/101)	Primary education	Notice in Auckland Provincial Government <i>Gazette</i> , 8th June, 1870, and notice in <i>Gazette</i> 16th December, 1878.
2	Section 1, Block I, Pakawau Survey District, Nelson Land District, containing 54 acres 6 perches, more or less (L. and S. 4/490)	Public domain ..	Notice in <i>Gazette</i> 30th October, 1930.
3	Section 9, Block I, and Section 14, Block V, Matakītiki Survey District, Nelson Land District, containing 1,965 acres, more or less (L. and S. 4/580)	Provisional State forest	Notice in <i>Gazette</i> 25th March, 1920.
4	Reserves 1234, 1236, and 1452, formerly parts Lots 4 and 5 of Education Endowment Reserve 131, Block IV, Hohonu Survey District, Westland Land District, containing 192 acres 2 roods 5 perches more or less: as the same is more particularly delineated on the plan marked L. and S. 609, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green	Secondary education	Notices in <i>Gazettes</i> of 23rd December, 1875, and 12th June, 1878.
5	Part Education Endowment Reserve 124, Block XIII, Wataroa Survey District, Westland Land District, containing 850 acres, more or less: as the same is more particularly delineated on plan marked L. and S. 573, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green	Primary education	Notices in <i>Gazettes</i> of 23rd December, 1875, and 12th June, 1878.
6	Section 44, formerly part Section 18, Block XII, Tautuku Survey District, Otago Land District, containing 42 acres 1 rood 36 perches, more or less (L. and S. 4/808)	Provisional State forest	Notices in <i>Gazette</i> 6th April, 1922.
7	Section 39, formerly part Section 14, Block VIII, Tautuku Survey District, Otago Land District, containing 24 acres 2 roods 14 perches, more or less (L. and S. 4/700)	Provisional State forest	Notice in <i>Gazette</i> 2nd October, 1924.
8	Section 14 and part Sections 9, 10, 11, 12, and 13, Block XV, and Sections 37, 39, and part Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32, Block XVII, Waikawa Survey District, Southland Land District, containing 594 acres, more or less: as the same is more particularly delineated on the plan marked L. and S. 10/100/22, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red	Provisional State forest	Notice in <i>Gazette</i> 22nd March, 1923.
9	Lot 2, of Section 10 and part Section 11, Block XXI, Invercargill Hundred, Southland Land District, containing 126 acres 33 perches, more or less: as the same is more particularly delineated on the plan marked L. and S. 4/244, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red	Primary education	Notice in <i>Gazette</i> 14th July, 1887.