

[AS REPORTED FROM THE LANDS COMMITTEE.]

House of Representatives, 14th March, 1938.

Hon. Mr. Langstone.

RESERVES AND OTHER LANDS DISPOSAL.

ANALYSIS.

- | Title. | |
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| 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 Runs 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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| <p>18. Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau.</p> <p>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.</p> <p>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.</p> <p>21. Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain.</p> <p>22. Extending leasing powers with respect to the Pukaahu Hot Springs Domain.</p> <p>23. Adding the reserve described in the Schedule to the Blueskin Recreation Reserve Act, 1876, to the Warrington Domain. Repeal.</p> | <p>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.</p> <p>25. Setting apart portion of the Westport Colliery Reserve as a reserve for public recreation.</p> <p>26. Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act, 1908.</p> <p>27. Abolishing the Moumahaki and Weraroa Endowments. Repeals.</p> <p>28. Making provision for the management and administration of the Mount Smart Domain. Repeals.</p> <p>29. Providing for revaluations under certain leases and licenses of land in Te Kuiti, Taumarunui, and Otorohanga.</p> <p>30. Providing for the improvement of the outlet from Lake Forsyth. Schedule.</p> |
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A BILL INTITULED

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

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 10 Lands Disposal Act, 1937.

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 15
“ First Schedule hereto (being the site of the Canterbury Provincial Council Chamber)”,
and substituting the words “ First and Second Schedules hereto ”:

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

(2) Section eight of the Canterbury Provincial Buildings Vesting Act, 1928, is hereby consequentially repealed.

Repeal.

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;

“(11) Victoria Street between Ranolf Street and Fenton Street, passing through Sections 17, 18, 19, and 20, Suburbs of Rotorua;

“(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;

- 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:
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- 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. 5 10 15

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. 20 25

(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.

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

(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. 30

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:— 35

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° 40

30' for a distance of 555 links; thence in a north-easterly direction along a line on a bearing of 65° 30' for a distance of 390 links; thence in an easterly direction along a line on a bearing of 106° 30' for a distance of 545 links; thence in a north-easterly direction along a line on a bearing of 39° 45' for a distance of 1045 links; thence in a northerly direction along a line on a bearing of 351° 45' for a distance of 555 links; thence in a north-westerly direction along a line on a bearing of 310° 30' for a distance of 175 links; thence in a westerly direction along a line on a bearing of 267° 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.

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

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

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:—

(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.

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.

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

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.

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

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

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
5 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:—

(1) Notwithstanding anything to the contrary in any
10 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.

(2) The proceeds of such sale shall be applied
15 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:—

All that area in the Auckland Land District, Piako
20 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, Ahikohe No. 1 and Totarapapa Blocks, and being the whole of the land comprised in certificate of title, Volume 477,
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:—

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

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.

Ibid., Vol. I, p. 731

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

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.

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

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

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

See Reprint
of Statutes,
Vol. V, p. 843

- rescue-station in terms of section six of the Coal-mines
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:—

1936, No. 51

- 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.

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

Repeal.

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°,

- 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.

Struck out.

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

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Struck out.

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 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 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:—

(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 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 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.

(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.

(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 hereby repealed.

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

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

Ibid.,
Vol. IV, p. 622

Repeals.

1931, No. 41

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

5 (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
10 before or after the passing of this Act.

15 (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.

20 (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.

25 (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
30 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.

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

40 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

(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. 25

(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 30

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
40 limiting the provisions of subsection *three* hereof, it is
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.

Struck out.

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

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Struck out.

5 (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.

10 (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
15 being transferred be deemed to be freed and discharged from the trusts affecting them as hereinbefore recited.

20 (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.

25 (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
30 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.

35 (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
40 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.

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

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, Matakaitaki 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.