

Hon. Mr. Skinner

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

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A BILL INTITULED

Title.

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

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Reserves and Other Lands Disposal Act, 1946. 10

2. Whereas the Hospital and Charitable Aid Board for the District of Taranaki is registered as the proprietor of an estate in fee-simple in all that piece of land situated in the Borough of New Plymouth containing by admeasurement one acre two roods five perches, more or less, being the Sections Numbered 404, 405, 406, 407, 408, and 409 in the town of New Plymouth, and being the land comprised in certificate of title, Volume 53, folio 6, Taranaki Registry, to be held in trust as a site for an old-men's home pursuant to the provisions of the New Plymouth Borough and Taranaki Hospital Exchange Act, 1903: And whereas the Taranaki Hospital Board (in this section referred to as the Board) is the successor of the Hospital and Charitable Aid Board of the District of Taranaki: And whereas the Board has established an old people's home on other land vested in the Board and the land herein described has for many years been used and is still required for the general purposes of the Board: And whereas it is desirable to free the said land above described from the said trust: Be it therefore enacted as follows:—

Cancelling the reservation as a site for an old-men's home over certain land in the Borough of New Plymouth and vesting the said land in the Taranaki Hospital Board.

1903 (Local),
No. 16

(1) Notwithstanding anything contained in sections two and three of the New Plymouth Borough and Taranaki Hospital Exchange Act, 1903, the reservation of the land above described as a site for an old-men's home is hereby cancelled and the said land is hereby declared to be vested in the Board, freed and discharged from the trust heretofore affecting the land.

(2) The District Land Registrar of the Land Registration District of Taranaki is hereby authorized and directed to make such entries in the Register and generally to do all such things as may be necessary to give effect to the provisions of this section.

3. Whereas the land described in subsection *two* of this section is reserved as an endowment for primary education: And whereas it is desirable that the reservation over the said land should be cancelled and the land set apart for housing purposes subject to the provisions of Part I of the Housing Act, 1919: Be it therefore enacted as follows:—

Cancelling the reservation over an area of primary-education endowment and declaring it to be subject to Part I of the Housing Act, 1919.

(1) The reservation as an endowment for primary education over the land described in subsection *two* of this section is hereby cancelled and the said land is hereby set apart for housing purposes subject to the provisions of Part I of the Housing Act, 1919.

See Reprint of Statutes, Vol. III, p. 798

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

All that area in the Southland Land District containing by admeasurement one rood, more or less, being Section 15, Block XVII, Town of Winton, and being 5 part of the land comprised and described in certificate of title, Volume 122, folio 294, Southland Registry: As the same is more particularly delineated on the plan marked L. and S. 30/228/82, deposited in the Head Office, Department of Lands and Survey, at Wellington, 10 and therein bordered red.

Cancelling the reservation over certain education-endowment lands in the North Auckland and Otago Land Districts and setting them apart as permanent State forests. See Reprint of Statutes, Vol. III, p. 425

4. Whereas the lands firstly and secondly described in subsection *two* of this section are reserved as endowments for primary education and the lands 15 thirdly and fourthly so described are reserved as endowments for secondary education: And whereas the said lands are unsuitable for farming purposes and it is desirable that they should be brought under the provisions of the Forests Act, 1921-22, so that they may be administered and dealt with in all respects as 20 permanent State forests: Be it therefore enacted as follows:—

(1) The reservation as endowments for primary and secondary education over the lands described in subsection *two* of this section is hereby cancelled and the 25 said lands are hereby set apart as permanent State forests under and subject to the provisions of the Forests Act, 1921-22.

(2) The lands to which this section relates are particularly described as follows:— 30

Firstly, all that area in the North Auckland Land District containing by admeasurement sixty-six acres three roods sixteen perches, more or less, being the north-western portion of Allotment 58, Hikurangi Parish, and being the whole of the land comprised and 40 described in certificate of title, Volume 275, folio 83, Auckland Registry.

Secondly, all that area in the Otago Land District containing by admeasurement two hundred and eighty-one acres three roods thirty-three perches, more or less, 35 being Section 1, Block IX, and Section 12, Block X,

Clarendon Survey District, as the same is more particularly delineated on the plan marked L. and S. 21/149/2544, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon
5 bordered red.

Thirdly, all that area in the North Auckland Land District containing by admeasurement seventy-four acres two roods sixteen perches, more or less, being the south-western portion of Allotment 65, Hikurangi
10 Parish, and being the whole of the land comprised and described in certificate of title, Volume 613, folio 65, Auckland Registry.

Fourthly, all that area in the Otago Land District containing by admeasurement one hundred and forty-
15 five acres two roods and four perches, more or less, and being Section 1, Block VIII, Akatore Survey District, and being the whole of the land comprised in deeds register, Volume 27, folio 276, Otago Registry: As the same is more particularly delineated on the plan marked L. and S. X/100/35, deposited in the Head Office,
20 Department of Lands and Survey, at Wellington, and thereon bordered red.

5. Whereas the land firstly described in subsection *five* of this section is vested in trustees in trust for a public recreation-ground and racecourse for the people
25 of Martinborough and the surrounding districts (save as is otherwise provided in the instrument creating the trust): And whereas the lands secondly and thirdly described in the said subsection are vested in the same trustees in trust for a public recreation reserve for the
30 people of Martinborough and district: And whereas the said trustees hold certain funds being accumulations of revenue from the said lands: And whereas the said trustees are no longer desirous of acting in that capacity and it is desirable that the said lands and funds should
35 be vested in local authorities in the district subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928: Be it therefore enacted as follows:—

Vesting a public recreation-ground and racecourse at Martinborough in the Corporation of the County of Featherston and vesting public recreation reserves in the Corporation of the Borough of Martinborough.

See Reprint of Statutes, Vol. VI, p. 1136

(1) The land firstly described in subsection *five* of this section is hereby vested in the Corporation of the County of Featherston as and for the purposes of a public recreation-ground and racecourse subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928. 5

(2) The lands secondly and thirdly described in subsection *five* of this section are hereby vested in the Corporation of the Borough of Martinborough as and for a public recreation reserve subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928. 10

(3) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the Register-books and in the outstanding certificates of title for the said lands as may be necessary to give effect to the provisions of this section. 15

(4) The said trustees are hereby empowered and directed to dispose of the said funds in the manner following:— 20

Firstly, in payment of the sum of one hundred pounds to the Corporation of the Borough of Martinborough to be held by it for the purposes of the said public recreation reserve, and secondly, in payment of the balance of the said funds to the Corporation of the County of Featherston to be held by it for the purposes of the said recreation-ground and racecourse. 25

(5) The lands to which this section relates are particularly described as follows:—

Firstly, all that area in the Wellington Land District containing one hundred and one acres and twenty-six perches, more or less, being Lot 75 on a plan deposited in the Land Registry Office at Wellington under Number 579, being part of Section 1, Wharekaka Block, situated in Block IX, Huangarua Survey District, and being the whole of the land comprised and described in certificate of title, Volume 103, folio 58, Wellington Registry. 30 35

Secondly, all that area in the Borough of Martinborough containing thirteen acres, more or less, being Lots 721 and 722, on a plan deposited in the Land Registry Office at Wellington under Number 250, being
 5 part of Section 1, Wharekaka Block, and being the whole of the land comprised and described in certificate of title, Volume 374, folio 211, Wellington Registry.

Thirdly, all that area in the Borough of Martinborough containing seven acres two roods, more or
 10 less, being Lots 612 to 619, inclusive, on a plan deposited in the Land Registry Office at Wellington under Number 248, being part of Section 1, Wharekaka Block, and being the whole of the land comprised and described in certificate of title, Volume 459, folio 122,
 15 Wellington Registry.

6. Whereas the lands described in subsection *two* of this section are reserved as endowments for primary education: And whereas the said lands, together with certain areas of adjoining Crown land, have been subdivided into holdings for the settlement of servicemen:
 20 And whereas for the better disposal of those holdings it is desirable that the reservation for education-endowment purposes should be cancelled and that the said lands should be declared subject to the Small Farms Act, 1932-33: And whereas it is expedient
 25 that the said lands be disposed of together with adjoining areas of Crown land subject to the provisions of the Small Farms Act, 1932-33: Be it therefore enacted as follows:—

(1) The reservation as endowments for primary-
 30 education purposes over the lands described in subsection *two* hereof is hereby cancelled and the said lands are hereby declared to be Crown land set apart under and subject to the provisions of the Small Farms Act, 1932-33.

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

40 Firstly, all that area in the Hawke's Bay Land District containing by admeasurement nine hundred and eighty-five acres, more or less, situated in Block IV, Patoka Survey District, being Pakiaka Rural Sections 23, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, and 40, and being

Cancelling the reservation over certain education-endowment land in the Hawke's Bay and Wellington Land Districts and declaring it to be Crown Land set apart under the Small Farms Act, 1932-33.

1932-33, No. 43

the whole of the land comprised and described in certificate of title, Volume 57, folio 295, Hawke's Bay Registry: As the same is more particularly delineated on the plan marked L. and S. 36/1531, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green. 5

Secondly, all those areas in the Wellington Land District, Rangitikei County, containing respectively by admeasurement ninety-eight acres one rood, and seven acres one rood, more or less, being parts of Section 6, Block VIII, Hautapu Survey District and being part of the land comprised and described in certificate of title, Volume 94, folio 134, Wellington Registry, as the same are more particularly delineated on the plan marked L. and S. 36/1496, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (S.O. Plan 21395). 10 15

Revoking the reservation over a recreation reserve in the Borough of Oamaru and authorizing the Oamaru Borough Council to subdivide and sell the said land.

7. Whereas the land described in subsection *six* hereof is a reserve for recreation purposes vested in His Majesty the King: And whereas the said land is not required for the purpose for which it is reserved and the Oamaru Borough Council (in this section referred to as the Council) desires to subdivide it and erect dwellings on the lots of the subdivision for purposes of sale: And whereas it is expedient that the Council should be authorized so to do on condition that a sum equivalent to the present value of the said land is credited to a special account and applied in the purchase of other lands for recreation purposes and for the improvement of existing recreation reserves in the Borough: Be it therefore enacted as follows:— 20 25 30

(1) The reservation for recreation purposes over the land described in subsection *six* of this section is hereby revoked and the said land is hereby vested in the Corporation of the Borough of Oamaru subject to the provisions of this section and freed from the trusts, reservations, and restrictions heretofore affecting the same. 35

(2) The Council shall pay to a special reserve account a sum equivalent to the value of the said land as determined by the Valuer-General by special valuation and the moneys so paid shall be applied by the Council in the purchase of other land for recreation purposes or for the improvement of existing recreation reserves or for any of such purposes as the Council may decide.

(3) Notwithstanding anything to the contrary in any Act, the Council may without further authority than this section subdivide the land hereinafter described into building lots and may sell such lots to servicemen within the meaning of the Rehabilitation Act, 1941, by public auction or tender or public application and ballot at a fixed price or by private contract as the Council may in its discretion decide.

(4) Any sale authorized by this section may be for cash or upon such terms as the Council may in its discretion decide.

(5) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed to deposit such plans, make such entries in the register-books, and to do all such things as may be necessary to give effect to the provisions of this section.

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

All that area in the Otago Land District, situated in the Borough of Oamaru, containing by admeasurement three acres and twenty-two perches, more or less, being Block 96, Town of Oamaru, and being the whole of the land comprised and described in certificate of title, Volume 45, folio 39, Otago Registry.

8. Whereas the land described in subsection three of this section is vested in the Corporation of the Borough of Hastings for an estate in fee-simple upon trust for library purposes: And whereas there was at one time a building used as a public library erected on the said land but the said building was totally destroyed following the earthquake on the third day of February, nineteen hundred and thirty-one: And whereas it is desirable that the Hastings Borough Council be empowered to sell the said land as it is no

Authorizing the Hastings Borough Council to sell a library site and to use the proceeds of such sale towards erection of a new library building.

longer required for the purpose for which it is reserved and that the proceeds of any such sale should be applied towards the cost of erection of a new library building: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the Hastings Borough Council is hereby empowered to sell the land described in subsection *three* hereof freed and discharged from the trusts, reservations, and restrictions affecting the said land. 5

(2) Any sale authorized by the *last preceding* subsection may be by public auction or tender or public application and ballot at a fixed price or private contract and may be for cash or upon such terms as the Council may in its discretion decide and the net proceeds from such sale shall be applied by the Council towards the cost of erecting a new library building. 10 15

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

All that piece or parcel of land, in the Hawke's Bay Land District, situated in the Borough of Hastings, containing by admeasurement one rood, more or less, being Lot 259 on a plan lodged in the Deeds Registry Office at Napier as Number 67, being part of Subdivision E of the Heretaunga Block, and being the whole of the land comprised and described in certificate of title, Volume 68, folio, 131, Hawke's Bay Registry, the said certificate of title being limited as to parcels and title. 20 25

9. Whereas the lands described in subsection *three* of this section are vested in the Corporation of the Borough of Waihi: And whereas the land secondly so described is held in trust as a site for a municipal abattoir: And whereas the Waihi Borough Council (in this section referred to as the Council) is desirous of transferring the said lands to the Waihi Agricultural and Pastoral Association, Incorporated, by way of gift as a site for a permanent showground and there is no statutory or other power enabling the Council to make such transfer and it is desirable to authorize the Council to make such gift: Be it therefore enacted as follows:— 30 35 40

Authorizing
the Waihi
Borough
Council to
transfer
certain land
by way of gift
to the Waihi
Agricultural
and Pastoral
Association,
Incorporated.

(1) The Council is hereby authorized and empowered to transfer the lands firstly and secondly described in subsection *three* of this section to the Waihi Agricultural and Pastoral Association, Incorporated, 5 without consideration as a site for a permanent show-ground freed and discharged from the trusts and reservations heretofore affecting the land secondly described in that subsection:

10 Provided that notwithstanding the provisions of section *seven* of the Agricultural and Pastoral Societies Act, 1908, the Association shall not have power to sell or exchange the land vested in it pursuant to this section.

See Reprint
of Statutes,
Vol. I, p. 48

15 (2) The District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to accept and register a memorandum of transfer of the said lands by the Corporation to the Waihi Agricultural and Pastoral Association, Incorporated, and to make such entries in the register-books and to 20 do all things necessary to give effect to the provisions of this section.

(3) The lands to which this section relates are particularly described as follows:—

25 Firstly, all that area of land in the Auckland Land District, situated in the Borough of Waihi, containing by admeasurement eight acres two roods five perches and five-tenths of a perch, more or less, being part of Section 157, Block XV, Ohinemuri Survey District, but 30 excluding therefrom any minerals on or under the said land and being the whole of the land comprised and described in certificate of title, Volume 678, folio 2, Auckland Registry, subject however to the restrictions imposed by Part XIII of the Land Act, 1924, and by 35 section three hundred and fifteen of the said Act.

Ibid., Vol. IV,
pp. 796, 771

35 Secondly, all that area situated in the aforesaid Land District and Borough and containing five acres two roods twelve perches and four-tenths of a perch, more or less, being Lot 1 on a plan deposited in the 40 Land Registry Office at Auckland under Number 32786, which said parcel of land is portion of Section 84, Block XV, Ohinemuri Survey District, and portion of

the land comprised and described in certificate of title, Volume 649, folio 187, Auckland Registry, subject however to the said land being available for mining at a depth of fifty feet from the surface.

Cancelling the reservation for the purpose of a recreation reserve and motor-camp site in the Borough of Otaki and authorizing the sale thereof.

10. Whereas the land secondly described in subsection *five* of this section is vested in the Mayor, Councillors, and Burgesses of the Borough of Otaki (in this section referred to as the Corporation) for an estate in fee-simple for the purposes of a recreation reserve and motor-camp site: And whereas the whole of the said land is not required for that purpose and it is desirable that a portion of it should be sold (such portion being firstly described in subsection *five* hereof) and that the proceeds of such sale should be applied in developing the balance of the area: Be it therefore enacted as follows:—

(1) The reservation for the purposes of a public recreation reserve and motor-camp site over the land firstly described in subsection *five* hereof is hereby cancelled and the said land is hereby declared to be vested in the Corporation freed and discharged from the trusts, reservations, and restrictions affecting the same.

(2) The Otaki Borough Council (in this section referred to as the Council) may sell the land firstly described in subsection *five* hereof either by public application and ballot at fixed prices or by public auction or tender, or private contract.

(3) Any sale of the said land authorized by the *last preceding* subsection may be for cash or upon such terms as the Council may in its discretion decide and the net proceeds from such sale shall be held by the Council and applied by it in the development of the balance of the area secondly described in subsection *five* hereof exclusive of the land authorized to be sold pursuant to this section.

(4) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and directed to make such entries in the register-books and generally to do all such things as may be necessary to give effect to the provisions of this section.

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

5 Firstly, all that area in the Wellington Land District, situated in the Borough of Otaki, containing by admeasurement four acres and two perches, more or less, being Lots 1 to 19, inclusive, on a plan numbered 21466 lodged in the office of the Chief Surveyor at Wellington, and thereon bordered green, the said area being portion of the land comprised and described in 10 certificate of title, Volume 453, folio 192, Wellington Registry, and described therein as part Taumanuka No. 1 Block.

Secondly, all that area in the Wellington Land District, situated in the Borough of Otaki, containing 15 fifteen acres two roods and six-tenths of a perch, more or less, being part of Taumanuka No. 1 Block, part of the said parcel of land being also Lots 38 to 46, inclusive, on a plan deposited in the Land Registry Office at Wellington under Number 4384, and being the 20 whole of the land comprised and described in certificate of title, Volume 453, folio 192, Wellington Registry.

11. Whereas the land described in subsection *three* of this section is part of the land vested in the Johnsonville Town Board pursuant to the provisions of the 25 Johnsonville School Reserve Act, 1898, for the purposes set out in that Act, and is also subject to the provisions of the Johnsonville School Reserve Act Amendment Act, 1900: And whereas it is desirable that the said land should be vested in the Education Board of the District 30 of Wellington as a site for a kindergarten, but the Johnsonville Town Board has no power to dispose of it for that purpose: Be it therefore enacted as follows:—

Cancelling the vesting of an area of land at Johnsonville in the Johnsonville Town Board, and vesting the said land in the Education Board of the District of Wellington for a site for a kindergarten.

(1) The vesting of the land described in subsection *three* of this section, in the Johnsonville Town Board 35 is hereby cancelled and the said land is hereby vested in the Education Board of the District of Wellington for a site for a kindergarten, but otherwise freed and discharged from the trusts, reservations, and restrictions heretofore affecting the same.

1898 (Local), No. 12
1900 (Local), No. 23

40 (2) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and directed to make such entries in the register-books and to do all such things as may be necessary to give effect to the provisions of this section.

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

All that area in the Wellington Land District in the Town District of Johnsonville, containing by admeasurement one rood ten perches and ninety-five hundredths of a perch, more or less, being Lot 2 on a plan numbered 13445 deposited in the Land Registry Office at Wellington, being part of Section 12, Porirua District, and being part of the land comprised in certificate of title, Volume 98, folio 229, Wellington Registry. 5 10

Authorizing the Rotorua Borough Council to receive a certain sum as compensation for portion of a reserve taken for a fire-station, and to expend such sum on acquisition of other land for recreation purposes.
See Reprint of Statutes, Vol. VII, p. 622

12. (1) Notwithstanding anything to the contrary in any Act, the Rotorua Borough Council is hereby authorized to receive from the Rotorua Fire Board, and the said Fire Board is hereby authorized to pay to the said Council, the sum of five hundred pounds as compensation for portion of a reserve for a site for municipal buildings, being part of the Rotorua Town Belt, which is vested in the Corporation of the said Borough in trust by an Order in Council dated the twenty-first day of December, nineteen hundred and twenty-seven, and published in the *Gazette* of the twelfth day of January, nineteen hundred and twenty-eight, and which is being acquired by the said Fire Board under the provisions of the Public Works Act, 1928, for a fire-station. 15 20 25

(2) The said Council is hereby authorized to expend the said moneys on the acquisition and development of other land for recreation purposes.

Struck out

Cancelling the vesting of portion of a reserve for a public park, recreation-ground, and botanical gardens in the Corporation of the City of Palmerston North, revoking the reservation and vesting it in the Board of Governors of the Palmerston North High School.
1877 (Local), No. 54

13. Whereas the land described in subsection *four* of this section is, pursuant to the provisions of section four of the Wellington Reserves Act 1876 Amendment Act, 1877, vested in the Corporation of the City of Palmerston North (in this section referred to as the Corporation) as a public park and recreation-ground and botanical gardens: And whereas the said land is leased to the Board of Governors of the Palmerston North High School (in this section referred to as the Board), and the Board desires to acquire the said land for a site for a hostel, but the Palmerston North City Council has no power to dispose of it: And whereas it is desirable that the said land should be vested in the Board: Be it therefore enacted as follows:— 35 40

Struck out

5 (1) The vesting of the land described in subsection *four* of this section in the Corporation is hereby cancelled, and the reservation as a public park and recreation-ground and botanical gardens is hereby revoked.

(2) The said land is hereby vested in the Board as a site for a hostel.

10 (3) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and directed to make such entries in the register-books and to do all such things as may be necessary to give effect to the provisions of this section.

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

All that area in the Wellington Land District, situated in the City of Palmerston North, containing by admeasurement one acre one rood twenty-four perches, more or less, being parts of Lots 8, 10, and 11, on Plan Number 545, deposited in the office of the District Land Registrar at Wellington, and being part of Rural Section 1536, Town of Palmerston North, and being also the whole of the land comprised in memorandum of lease numbered 16966, registered in the aforesaid office, and being part of the land in certificate of title, Volume 308, folio 185, Wellington Registry, and bounded as follows: on the north-east by Lots 1 and 2, D.P. 11820, a distance of 200 links, bearing $149^{\circ} 42' 53''$; on the south-east by Lots 10, 11, and 12, D.P. 11820 and part Lot 10, D.P. 545, a distance of 700 links, bearing $239^{\circ} 42' 53''$; on the south-west by parts Lots 10 and 11, D.P. 545, a distance of 200 links, bearing $329^{\circ} 42' 53''$; and on the north-west by parts Lots 11 and 7, D.P. 545, a distance of 700 links, bearing $59^{\circ} 42' 53''$: as the same is more particularly delineated on the plan marked L. and S. 1/1158, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red.

Cancelling the reservation over certain education-endowment land in the Nelson Land District, and setting it apart under Part III of the Coal-mines Act, 1925.
See Reprint of Statutes, Vol. V, p. 922

14. Whereas the land described in subsection *two* of this section is reserved as an endowment for primary education: And whereas it is desirable that it should be set apart for the purposes of Part III of the Coal-mines Act, 1925, so that it may be used as sites for houses for persons engaged in the coal-mining industry in the locality: Be it therefore enacted as follows:— 5

(1) The reservation as an endowment for primary education over the land described in subsection *two* of this section is hereby cancelled, and the said land is hereby set apart under Part III of the Coal-mines Act, 1925. 10

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

All that area in the Nelson Land District, situated in the Inangahua County, containing a total area of one acre and ten perches, more or less, being Sections 602, 603, 604, 605, 655, 656, 657, 694, 695, 696, 744, 745, 746, and 747, Town of Reefton. 15

Validating a certain deed affecting land in the Borough of New Plymouth.

15. (1) The deed dated the fifteenth day of March, nineteen hundred and forty-six, made between the Minister of Works on behalf of His Majesty the King and the Mayor, Councillors, and Burgesses of the Borough of New Plymouth affecting all that piece of land comprising twenty-two perches and forty-six hundredths of a perch, more or less, situate in the Borough of New Plymouth, being Lots 1, 2, and 3, on Deposited Plan 1282, being part Section 2335, Town of New Plymouth, is hereby declared to be valid and binding in all respects according to its tenor. 20 25 30

(2) The Minister of Works on behalf of His Majesty the King, and the New Plymouth Borough Council, shall be deemed to have had full power and authority to enter into and execute the said deed and to be at all times empowered to do all things necessary to give full force and effect to the provisions thereof. 35

Adding land to the M. J. Savage Memorial Park and Orakei Domain.
1941, No. 21

16. Whereas certain land in the North Auckland Land District and situated in the City of Auckland was constituted as the M. J. Savage Memorial Park by section eleven of the Reserves and other Lands Disposal Act, 1941: And whereas portion of that land forms part of the Orakei Domain: And whereas it is desirable to add certain areas of Crown land to the said Orakei 40

Domain and to the said M. J. Savage Memorial Park and to make provision for the addition of further areas in the future: Be it therefore enacted as follows:—

- 5 (1) The area firstly described in subsection *five* of this section is hereby declared to be reserved for recreation purposes, 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 Orakei Domain.

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

- 10 (2) On the completion of the vesting in His Majesty the King of the land secondly described in subsection *five* of this section the said land shall be deemed to be a recreation reserve subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Orakei Domain.

- (3) The lands referred to in subsections *one* and *two* hereof shall be deemed to be an addition to the M. J. Savage Memorial Park.

- 20 (4) The Governor-General may from time to time, by Order in Council, declare such other lands as in his opinion are suitable for addition to the said park to be added to it and to be added to and deemed to form part of the Orakei Domain.

- 25 (5) The lands to which this section relates are particularly described as follows:—

- Firstly, all that area in the North Auckland Land District situated in Block IX, Rangitoto Survey District, in the City of Auckland, containing by admeasurement a total area of twenty acres three roods twenty-nine perches and five-tenths of a perch, more or less, shown in plan numbered 34195, deposited in the office of the Chief Surveyor at Auckland as part Orakei Block, containing two acres two roods thirty-seven perches and seven-tenths of a perch, coloured sepia on the said plan; part Orakei 4c Block, containing six acres eleven perches and two-tenths of a perch, edged yellow on the said plan; part Orakei 4b and 4c Blocks, containing twelve acres and twenty perches and six-tenths of a perch, edged yellow on the said plan.

Secondly, all that area situated as aforesaid containing by admeasurement one acre, more or less, being Section 2, Block IX, Rangitoto Survey District, and being the whole of the land comprised and described in certificate of title, Volume 310, folio 232, Auckland Registry, the said land being edged blue on the said plan numbered 34195, deposited in the office of the Chief Surveyor at Auckland. 5

cancelling
the reservation
over a
recreation
reserve in
the
Karangahape
Parish and
reserving it
for water-
conservation
purposes and
vesting the
said land in
the Corporation
of the City
of Auckland.

17. Whereas the land described in subsection *two* of this section is a reserve for recreation purposes vested in His Majesty the King, but is not used for the purposes for which it is reserved: And whereas the said land lies into a larger area used for water-conservation purposes and is also the source of several streams, the water from which forms part of the Auckland City water supply: And whereas it is desirable that the reservation over the said land should be changed from a reserve for recreation purposes to a reserve for water-conservation purposes and that it should be vested in the Corporation of the City of Auckland (in this section referred to as the Corporation) for such latter purposes: Be it therefore enacted as follows:— 10 15 20

(1) The reservation for recreation purposes over the land hereinafter described is hereby cancelled and the said land is hereby declared to be a reserve for water-conservation purposes and is hereby vested in trust for those purposes in the Corporation: Provided that in the event of the said land not being required at any time for those purposes it shall revert to the Crown and shall be held for the purposes of a recreation reserve. 25 30

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

All that area in the North Auckland Land District situated in the County of Waitemata, containing by admeasurement two hundred and forty-eight acres two roods twenty-five perches and eight-tenths of a perch, more or less, being Allotments 129 and 130 and part of Allotment 72, Parish of Karangahape, bounded 35

- generally towards the north by a public road and Allotments 134 and 73, Karangahape Parish, towards the east by Allotments S. 75 and 112 of the said parish, towards the south by Allotment N. 71 of the said parish,
 5 and towards the west by a public road: as the same is more particularly delineated on the plan marked L. and S. 1/552/C, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon bordered red.
- 10 18. Whereas Reserve 212 in the Canterbury Land District (in this section referred to as the reserve) is held by the Corporation of the City of Christchurch in trust for municipal purposes without power of sale: And whereas by section one hundred and fifty-six of
 15 the Municipal Corporations Act, 1933, no part of the reserve may be leased save pursuant to special order in that behalf or, so far as portion thereof is concerned, save as provided by section thirteen of the Reserves and other Lands Disposal Act, 1933: And whereas the
 20 Christchurch City Council (in this section referred to as the Council) was authorized by the said section thirteen to grant to the Christchurch Returned Soldiers' Association, Incorporated, for the purpose of establishing a soldiers' and sailors' settlement, a lease of part
 25 of the reserve, being the land described in subsection three of that section, upon the terms and subject to the conditions in the said section thirteen: And whereas no formal lease has ever been granted to the Christchurch Returned Soldiers' Association, Incorporated,
 30 now called the Christchurch Returned Services' Association, Incorporated (in this section referred to as the Association), but the Association has built upon part of the property to which the said section thirteen relates dwellinghouses which are now occupied by
 35 returned soldiers and sailors, which part so built upon is particularly described in subsection *nine* of this section: And whereas the Association does not propose to erect any further dwellinghouses upon the land to which the said section thirteen relates, and has released
 40 the Council from any obligation or liability to grant the Association a lease of so much of that land as does not comprise the area upon which the Association has

Authorizing
 the Christchurch
 City Council
 to sell and
 lease portions
 of a municipal
 reserve.

1933, No. 30

1933, No. 45

already built dwellinghouses: And whereas the Council has subdivided land to which the said section thirteen relates, excluding the area built upon by the Association (the land so subdivided being referred to in this section as the Sandilands Settlement), and has built upon portions of it a number of double-unit and single-unit houses: And whereas the Council desires to have power to sell the single-unit houses and to let or lease the double-unit houses or the two separate parts of each double-unit house at such rent, on such conditions, and for such term as the Council shall from time to time think fit: Be it therefore enacted as follows:—

(1) The Council is hereby authorized to subdivide the Sandilands Settlement or any part thereof into lots to dedicate the part or parts thereof described in subsection *eight* of this section for road, reserve, or other purposes, to form and lay out any reserve areas for playgrounds, to lay out and form roads, to build, make, and lay down in or under the same any sewers, drains, gaspipes, cables, and wires for electric lighting and electric-power purposes, waterpipes and other conveniences, and generally, so far as the Sandilands Settlement is concerned, to act with all the powers of absolute owners without being obliged to comply with the provisions of section one hundred and fifty-six of the Municipal Corporations Act, 1933.

(2) The power of the Council to grant to the Association a lease of the land described in subsection three of section thirteen of the Reserves and other Lands Disposal Act, 1933, is hereby cancelled except so far as that power relates to the lands mentioned in the *next succeeding* subsection.

(3) The Council may at any time grant to the Association a lease of that part of the reserve described in subsection *nine* of this section, already built upon by the Association as provided for by subsection two of the said section thirteen, and subject to the terms and conditions set out therein, except as modified by this section.

(4) The Council may at any time, and from time to time and without the authority of a special order, enter into tenancies or grant leases of any double-unit houses or of each separate unit of any such
5 double-unit houses of the Sandilands Settlement, being the land described in subsection ten of this section for a term not exceeding twenty-one years at such rents and upon such conditions as the Council may deem expedient, and so that there shall be con-
10 tained in any such lease such provisions as may be considered necessary by the Council for the right of re-entry over the said land and for the preservation of the amenities of the district.

(5) The Council may at any time, and from time to
15 time without the necessity of a special order, sell any of the lots of the Sandilands Settlement on which single-unit houses have been or shall be built by it (being the land described in subsection *eleven* of this section) for cash, or upon the security of the purchased lot, or upon
20 such other terms and conditions in all respects as the Council shall in its absolute discretion think fit.

(6) The Council shall upon receipt of the purchase-money, or upon the purchaser giving to the Council a mortgage to secure the purchase-money or any part
25 thereof, have power to transfer any single-unit lot to the purchaser.

(7) On deposit by him of a plan showing the subdivisions of the lands referred to in this section the District Land Registrar of the Land Registration
30 District of Canterbury shall accept such documents for registration, make such entries in the register-books, and generally do all such things as shall be necessary to give effect to the provisions of this section.

(8) The portions of the Sandilands Settlement,
35 which are authorized by this section to be dedicated for roads and set aside as reserves, are the areas particularly described as follows:—

All those areas of land in the Canterbury Land District situated in the City of Christchurch, containing by admeasurement a total area of four acres eight perches and five-tenths of a perch, more or less, being parts of Reserve 212, and being Lots 47, 48, and 49 on a plan recorded in the office of the Chief Surveyor at Christchurch as Number S.O. 7789, and thereon coloured red. 5

(9) The land referred to in this section as being built on by the association is particularly described as follows:— 10

All those areas in the Canterbury Land District, containing by admeasurement a total area of one acre two roods thirty perches and three-tenths of a perch, more or less, and being part of Reserve 212, situated in the City of Christchurch, being Lots 45 and 46 on a plan recorded in the office of the Chief Surveyor at Christchurch as Number S.O. 7789, and thereon bordered sepia. 15

(10) The land referred to in this section as the land on which are erected double-unit houses is particularly described as follows:— 20

All those areas in the Canterbury Land District, containing by admeasurement a total area of two acres two roods twenty-two perches and two-tenths of a perch, more or less, being part of Reserve 212, situated in the City of Christchurch, being Lots 9, 10, 16, 17, 24, 25, 27, 29, 32, 33, 37, and 38, on a plan recorded in the office of the Chief Surveyor at Christchurch as Number S.O. 7789, and thereon bordered blue. 25 30

(11) The land referred to in this section as the land on which single-unit houses are erected is particularly described as follows:—

All those areas in the Canterbury Land District, containing by admeasurement a total area of six acres two roods seventeen perches and one-tenth of a perch, more or less, and being part of Reserve 212, situated in the City of Christchurch, being Lots 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 26, 28, 30, 31, 34, 35, 36, 39, 40, 41, 42, 43, and 44, on a plan recorded in the office of the Chief Surveyor at Christchurch as Number S.O. 7789, and thereon bordered orange. 35 40

19. Whereas by an Order in Council issued pursuant to section nine of the Public Reserves, Domains, and National Parks Act, 1928, dated the nineteenth day of August, nineteen hundred and twenty-nine, and published in the *Gazette* of the twenty-second day of that month, the land described in subsection *three* hereof was declared to be vested in the Hurunui Rabbit Board in trust for sites for buildings of the said Board: And whereas the land is no longer required for that purpose, and it is expedient that the Hurunui Rabbit Board should be empowered to sell and transfer the said land and to apply the proceeds received therefrom towards the cost of purchasing other land and buildings for the purpose of the said Board: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the Hurunui Rabbit Board is hereby empowered to sell the said land freed and discharged from the trusts, reservations, and restrictions affecting the same and to execute a transfer to the purchaser thereof, and the District Land Registrar for the Land Registration District of Canterbury is hereby authorized to register such transfer accordingly.

(2) The net proceeds from the sale of the said land shall be applied in and towards the costs of purchasing other land and buildings and such land shall be held in trust as a site for buildings of the said Board, subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928.

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

All that area in the Canterbury Land District, containing by admeasurement nine acres three roods and twenty-eight perches, more or less, and being part Reserve Number 286, situated in Block III, Waitohi Survey District, bounded as follows: towards the north-west and north-east by other part of Reserve Number 286, 1607 and 614 links respectively; towards the south-east by Reserve Number 2005, 1607·2 links; and again towards the south-west by a public road, 621 links: as the same is more particularly delineated on the plan marked L. and S. 6/1/453, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Authorizing the Hurunui Rabbit Board to sell certain lands, and directing the application of the proceeds of sale thereof. See Reprint of Statutes, Vol. VI, p. 1139

Amending the boundaries of certain land reserved for a school-site in Block XI, Ongo Survey District.

20. Whereas all that area in the Wellington Land District, containing by admeasurement ten acres and thirty-two perches, more or less, being Section 67, Block XI, Ongo Survey District, was permanently reserved for a school-site by Warrant dated the twenty-fifth day of December, eighteen hundred and ninety, and published in the *Gazette* of the second day of January, eighteen hundred and ninety-one: And whereas in the year eighteen hundred and ninety-five the Rewa Village and Village Settlement was laid off and an alteration to the boundaries of the said Section 67 was made without the necessary formalities having been completed to amend the said boundaries: And whereas the lands known as Section 6, Rewa Village Settlement, and Sections 8 and 9, Rewa Village, include portions of Section 67 as originally laid off and reserved as a school-site: And whereas Section 67 as laid off in the year eighteen hundred and ninety-five, includes Crown land not reserved as a school-site: And whereas it is now expedient to validate the alteration of the boundaries of Section 67, Block XI, Ongo Survey District, and consequently to validate the titles to Section 6, Rewa Village Settlement, and Sections 8 and 9, Rewa Village: Be it therefore enacted as follows:—

(1) The reservation as a school-site over Section 67, Block XI, Ongo Survey District, containing ten acres and thirty-two perches, more or less, as shown on a plan numbered 13142 lodged in the office of the Chief Surveyor at Wellington, is hereby cancelled, and Section 67, Block XI, Ongo Survey District, containing ten acres and thirty-two perches, more or less, as shown on a plan numbered 13841, lodged as aforesaid, is hereby reserved as a school-site in lieu thereof.

(2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register-books and to do all such things as may be necessary to give effect to the provisions of this section.

21. Whereas the lands firstly, secondly, and thirdly described in subsection *four* of this section are held by Alexander Henderson Wallace, retired, Charles Roderick Edmond, company director, and Allan McDougall, company manager, all of the City of Wellington (in this section referred to as the trustees) upon trust for the purposes of the Young Men's Christian Associations of New Zealand in accordance with the terms of certain deeds of trust bearing date the first day of October, nineteen hundred and twenty-five, and the seventh day of February, nineteen hundred and twenty-eight, respectively, and made between Esther Bell George, therein described of the one part, William Henry Harrison George, Charles Manley Luke, and Henry Walter Kersley, therein described of the other part: And whereas by the said deeds the said Esther Bell George authorized the trustees at any time to sell the said lands upon such terms and conditions as they should think fit and to expend the proceeds of any such sale upon the purchase of other land within the Land District of Wellington, and the said Esther Bell George further directed that any land at any time so purchased should be held by the trustees subject to the said trusts declared by the said deeds: And whereas the said Esther Bell George further directed by the said deeds that the said lands should not be sold by the trustees to any person or Corporation other than the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the Corporation): And whereas the trustees and the Wellington City Council mutually desire that, in lieu of the trustees selling the said lands to the Corporation, the said lands should be exchanged without any monetary consideration for the land *fourthly* described in subsection *four* of this section, at present held by the Corporation subject to the provisions of the Wellington City and Suburban Water-supply Act, 1927, and it is expedient that effect be given to such agreement: Be it therefore enacted as follows:—

(1) The vesting in the said trustees of the lands firstly, secondly, and thirdly described in subsection *four* of this section is hereby cancelled, and the said lands are hereby vested in the Corporation freed and discharged from the trusts contained in the aforesaid deeds.

Effecting the exchange of certain areas of land between the Corporation of the City of Wellington and certain private trustees.

1927 (Local),
No. 24

(2) The vesting in the Corporation of the land fourthly described in subsection *four* of this section is hereby cancelled, and the said land is hereby vested in the said trustees upon the same trusts as are set out in the said deeds bearing date the first day of October, nineteen hundred and twenty-five, and the seventh day of February, nineteen hundred and twenty-eight, freed and discharged from all the provisions of the Wellington City and Suburban Water-supply Act, 1927. 5

(3) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register-books and in the outstanding certificates of title for the said lands, and to do all such things as may be necessary to give effect to the provisions of this section. 10 15

(4) The lands to which this section relates are particularly described as follows:—

Firstly, all that piece or parcel of land situated in the Wellington Land District, containing by admeasurement four acres one rood twenty-one perches and three-tenths of a perch, more or less, situate in Block IV, Belmont Survey District, being part of Section 196, Hutt District, and being also part of Lot 3 on a plan deposited in the office of the District Land Registrar at Wellington under Number 7415, and being the balance of the land comprised in certificate of title, Volume 328, folio 172, Wellington Registry, together with the right-of-way appurtenant thereto over part of Lot 2 on the said deposited plan Number 7415, coloured blue on the diagram endorsed on the said certificate of title and created by Transfer 172021. 20 25 30

Secondly, all that piece of land situated as aforesaid, containing by admeasurement three perches, more or less, situate in Block IV, Belmont Survey District, being part of Section 196, Hutt District, and being also portion of Lot 2 on a plan deposited in the office of the District Land Registrar at Wellington under Number 8202, as more particularly shown on plan numbered 20148, lodged in the office of the Chief Surveyor at Wellington, and being part of the land in certificate of title, Volume 383, folio 149, Wellington Registry. 35 40

Thirdly, all that piece of land situated as aforesaid and containing fourteen perches and eight-tenths of a perch, more or less, situate in Block IV, Belmont Survey District, being part of Section 196, Hutt District, and
 5 being also a portion of Lot 2 on a plan deposited in the office of the District Land Registrar at Wellington under Number 8202, as more particularly shown on Plan 20148, lodged in the office of the Chief Surveyor at Wellington, and being part of the land in certificate
 10 of title, Volume 383, folio 149, Wellington Registry.

Fourthly, all that piece of land situated as aforesaid, containing twenty-five acres, more or less, being part of Section 32, Block XVI, of the Akatarawa Survey District, and being also Lot 3 on the plan
 15 lodged for deposit in the office of the District Land Registrar at Wellington under Number 12827, the said area being portion of the land described in clause nine of the First Schedule to the Wellington City and Suburban Water-supply Act, 1927.

20 **22.** Whereas the area hatched green on Plan 21376, lodged in the office of the Chief Surveyor at Wellington, being formerly part of Section 156, Awhea District, situated in Block X, Waipawa Survey District, was
 25 by Proclamation dated the twenty-sixth day of October, eighteen hundred and eighty-six, published in the *Gazette* of the twenty-eighth day of the same month and registered in the Land Registry Office at Wellington as Number 75, taken for a road: And whereas the areas coloured green and burnt sienna on the aforesaid
 30 Plan 21376, being formerly parts of Sections 57, 101, 104, 156, and 157, Awhea District, situated in Blocks X and XIV, Waipawa Survey District, were by Plan C. 67, deposited in the Land Registry Office at Wellington, shown to be a road in pursuance of subsection four of
 35 section one hundred of the Public Works Act, 1894: And whereas the aforesaid roads hatched green and coloured green were included in the sections of the Tukurumuri Settlement as shown on Plans 17430, 17431, and 17432, approved by the Chief Surveyor on the
 40 thirteenth day of April, nineteen hundred and twenty, and lodged as aforesaid, without first having been closed

Closing certain roads in the Waipawa Survey District, Wellington Land District, and declaring certain lands to be legal roads, and validating the issue of certain leases and a certificate of title.

See Reprint
of Statutes,
Vol. IV, p. 862

and declared subject to the provisions of the Land for Settlements Act, 1908: And whereas the areas coloured red on the aforesaid Plan 21376 were shown as roads on the aforesaid Plans 17430, 17431, and 17432, and have not been proclaimed as such: And whereas it is expedient that the said roads hatched green and coloured green should be closed and declared subject to the provisions of the Land for Settlements Act, 1908, as from the thirteenth day of April, nineteen hundred and twenty, and the said areas coloured red should be proclaimed road as from the same date: Be it therefore enacted as follows:—

(1) The roads hatched green and coloured green on Plan 21376, lodged in the office of the Chief Surveyor at Wellington, are hereby deemed to be and to have been closed and declared subject to the provisions of the Land for Settlements Act, 1908, and to have formed part of the Tukurumuri Settlement as from the thirteenth day of April, nineteen hundred and twenty.

(2) The areas coloured red on the said Plan 21376 are hereby deemed to have been proclaimed road as from the thirteenth day of April, nineteen hundred and twenty.

(3) All leases heretofore registered under the Land Transfer Act, 1915, of the said Tukurumuri Settlement and all registered dealings therewith, all Proclamations affecting the said Tukurumuri Settlement registered since the said thirteenth day of April, nineteen hundred and twenty, and certificate of title, Volume 503, folio 118, Wellington Registry, for Sections 12s and 13s of the said settlement in favour of the Chairman, Councillors, and Inhabitants of the County of Featherston, are hereby validated and declared to be and to have been of full force and effect.

(4) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register-books, in the outstanding duplicate leases, and in the outstanding certificate of title as may be necessary to give effect to the provisions of this section.

Ibid.,
Vol. VII,
p. 1161

23. Whereas the land known as the Ngatimoti Public Hall Reserve (in this section referred to as the said reserve), situated at Ngatimoti in the Land District of Nelson, is vested in certain trustees upon the 5 trusts declared under a certain declaration of trust dated the first day of October, nineteen hundred and twenty-seven, and known as the Ngatimoti Hall Trust Deed: And whereas by the said declaration of trust it is declared that the said reserve shall be held by the 10 trustees upon trust as and for a public reserve and recreation-ground for the pleasure and benefit of the inhabitants of the district of Ngatimoti and its surroundings: And whereas the said declaration of trust further declares that the said reserve shall not be sold, 15 mortgaged, or exchanged, or be used or dealt with otherwise than as a recreation-ground as aforesaid: And whereas the trustees and the inhabitants of the district of Ngatimoti and its surroundings have acquired another more central and convenient site which they 20 desire to be used for the same purposes as are set forth in the said declaration of trust, and further desire to remove the public hall erected on the said reserve to the said new site and to sell the said reserve and apply the proceeds of the sale towards the cost of removing, 25 repairing, and improving the said public hall: And whereas there is no authority enabling the trustees so to do: Be it therefore enacted as follows:—

Authorizing the sale of the Ngatimoti Public Hall Reserve and directing the application of the proceeds thereof.

(1) Notwithstanding anything to the contrary in the said declaration of trust, the trustees of the said 30 reserve are hereby empowered to remove the said public hall and to sell the land hereinafter described freed and discharged from the trusts, reservations, and restrictions affecting the same.

(2) The net proceeds from the sale shall be applied 35 towards the cost of removing the said public hall to its new site and repairing and improving the said hall.

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

All that area in the Nelson Land District, containing 40 by admeasurement thirty-seven perches, more or less, being a portion of Section 64, Square 3, situated in Block X, Motueka Survey District, and being the whole of the land comprised and described in certificate of title, Volume 63, folio 148, Nelson Registry, the said 45 certificate of title being limited as to parcels.

Cancelling the reservation for State forest and scenic purposes over Parts Sections 48 and 62, Block VII, Pohangina Survey District, and constituting them and an area of stopped Government road as the Pohangina Valley Domain. See Reprint of Statutes, Vol. III, p. 425
Ibid., Vol. VIII, p. 613
Ibid., Vol. VI, p. 1148

24. Whereas the land firstly described in subsection two of this section is permanent State forest under and subject to the provisions of the Forests Act, 1921-22: And whereas the land secondly described in the said subsection is a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908: And whereas the land thirdly described in the said subsection is a strip of stopped Government road and runs through the said land firstly described: And whereas it is desirable that the lands firstly and secondly described in the said subsection should cease to be permanent State forest and scenic reserve respectively and that the said lands, together with the land thirdly described in the said subsection, should be reserved for recreation purposes and constituted as the Pohangina Valley Domain, subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and be placed under the control of the Palmerston North City Council acting as a Domain Board: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the reservation for State forest purposes over the land firstly described in subsection *two* of this section and the reservation for scenic purposes over the land secondly so described is hereby cancelled, and the said lands are, together with the land thirdly so described, hereby declared to be recreation reserves and to be set apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as the Pohangina Valley Domain, and the control thereof is hereby vested in the Palmerston North City Council acting as the Pohangina Valley Domain Board.

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

Firstly, all that area in the Wellington Land District situated in the Pohangina County, containing by admeasurement six hundred and forty-four acres, more or less, and being part of Section 48, Block VII, Pohangina Survey District, bounded as follows: commencing at a point on the northern side of the Pohangina Valley Road, being the southernmost corner of Section 62, Block VII; thence towards the east by the crossing of that road and by Section 64 to Opawe Road; thence in a north-westerly direction by the

northern side of that road to the Pohangina Valley Road aforesaid; thence in a southerly and easterly direction generally by the crossing of Opawe Road and the western and southern boundaries of Sections 7 5 and 8, Block VII, to the western boundary of Section 64 aforesaid; thence in a southerly direction along the western boundaries of Section 64, Block VII, and Section 12, Block XI; thence in a westerly direction along the northern boundary of Section 12 aforesaid, 10 the crossing of the Pohangina Valley Road and along the northern boundary of Section 11, Block XI, to the Pohangina River; thence in a northerly direction generally by that river to the south-western boundary of Section 62 aforesaid; thence along that boundary to 15 a point on the Pohangina Valley Road, the place of commencement, excepting therefrom the Pohangina Valley Road; also excepting a stopped road as shown on plan numbered S.O. 14255: as the same is more particularly delineated on a plan deposited in the 20 District Office, Department of Lands and Survey, at Wellington, numbered S.O. 15532, and thereon coloured red.

Secondly, all that area in the Wellington Land District situate in the Pohangina County, containing by 25 admeasurement ninety acres two roods, more or less, being part Section 62, Block VII, Pohangina Survey District, bounded toward the west and north generally by the Pohangina River, toward the east and south by the abutment of a river-bank reserve, Section 64, the 30 Pohangina Valley Road aforesaid, Section 4A, again by the Pohangina Valley Road and by Section 48, Block VII, Pohangina Survey District, excepting therefrom a public road 100 links wide: as the same is more particularly delineated on a plan deposited in the 35 district office, Department of Lands and Survey, at Wellington, numbered S.O. 12884, and thereon coloured red.

Thirdly, all that area in the Wellington Land District situate in the Pohangina County, containing by 40 admeasurement sixteen acres, more or less, and being Section 65, Block VII, Pohangina Survey District: as the same is more particularly delineated on a plan deposited in the district office, Department of Lands and Survey, at Wellington, numbered S.O. 14255, and 45 thereon coloured green.

Conferring on certain lessees and licensees of land in Te Kuiti, Taumarunui, and Otorohanga a right to convert to renewable lease.

See Reprint of Statutes, Vol. VI, p. 358
1924, No. 55

25. (1) This section applies—

(a) To all deferred-payment licenses of any land situated within the Borough of Te Kuiti, the Borough of Taumarunui, or the Town District of Otorohanga that has been acquired by the Crown, if the licenses 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 10

(b) To all leases of any land situated as aforesaid that has been acquired by the Crown, if the leases 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 shall, subject to the provisions of this section and with the consent in writing of the encumbrancers (if any), have a right at any time before the thirty-first day of December, nineteen hundred and forty-eight, to surrender his lease or license and obtain in exchange a renewable lease under the provisions of paragraph (b) of subsection two of section one hundred and thirty-one of the Land Act, 1924. 20 25

(3) The capital value and annual rental reserved in such renewable lease as aforesaid shall be determined by the Auckland Land Board on the basis of the present value of the land (excluding the value of improvements effected or purchased by the lessee or licensee) at the time at which application is made for a renewable lease. 30

(4) Any renewable lease issued under this section shall be deemed to be subject to all existing encumbrances, liens, and interests (if any) affecting the surrendered lease or license; and the District Land Registrar shall record on the lease all such encumbrances, liens, and interests accordingly in the order of their registered priority. 35 40

See Reprint of Statutes, Vol. IV, p. 685

26. Whereas in the year eighteen hundred and eighty-one a road was surveyed from the Kumeu River to the Kumeu Railway-station, and at the same time railway boundaries were redefined as shown on the plan numbered 2773, deposited in the office of the Chief Surveyor at Auckland: And whereas in the year eighteen hundred and eighty-three a second survey was made for road and railway purposes as shown on the plan numbered 3343, deposited in the office of the said Chief Surveyor, and the boundaries of the road and railway shown thereon did not as they should have done coincide with those shown on the plan numbered 2773: And whereas the portion intended under the second survey for a road was taken for railway purposes by Proclamation published in the *Gazette* of the twenty-seventh day of December, eighteen hundred and eighty-three, and registered in the Land Registry Office at Auckland under Number 706: And whereas in the year nineteen hundred and five a plan numbered 13363 was deposited in the office of the said Chief Surveyor for the purpose of defining certain portions of stopped road, but the position of such portions was not located by survey: And whereas such portions were not in fact road, but were portions of the land taken for railway purposes as aforesaid, together with a portion of Taupaki Block comprised in Deeds Index 14A, page 70, Auckland Deeds Registry, in the name of Thomas Weare: And whereas the portions thought to be road were stopped by the Waitemata County Council in the year eighteen hundred and ninety-one, as evidenced by Document R. 158 registered in the Land Registry Office at Auckland on the second day of September in that year: And whereas, following on such stopping, certificate of title in lieu of Crown Grant, Volume 62, folio 18, Auckland Registry, was issued pursuant to a Governor's Warrant in favour of Thomas Weare for Sections 1, 2, and 3, Block V, Waitemata Survey District, the said Sections 1 and 2 being portions of the land taken for railway purposes by Proclamation numbered 706 aforesaid and the said Section 3, being portion of Taupaki Block comprised in Deeds Index 14A, page 70 aforesaid: And whereas in the year nineteen hundred and thirty-eight a third survey was made for road

Amending
certain dealings
with respect
to lands in
Block V,
Waitemata
Survey District.

purposes of portions of Taupaki Block, portion of Section 1, Block V, Waitemata Survey District, and portion of the land taken for railway purposes by Proclamation numbered 706 aforesaid, such portions being shown on the plan numbered 30129, deposited in the office of the said Chief Surveyor: And whereas the said portions were taken for road purposes by Proclamations published in the *Gazettes* of the sixteenth day of February, nineteen hundred and thirty-nine, and the eighteenth day of April, nineteen hundred and forty respectively, and registered in the Land Registry Office at Auckland under Numbers 9840 and 10218: And whereas the erroneous location of boundaries shown in the second survey hereinbefore referred to was adopted for the third survey, and Proclamations Numbers 9840 and 10218 were in consequence also erroneous: And whereas in the year nineteen hundred and forty-five a fourth survey, as shown on the plan numbered 33799, deposited in the office of the said Chief Surveyor, was made to clarify the position: And whereas it is desirable that provision as hereinafter appearing should be made to validate existing titles and to ensure that those titles and all surveys made as aforesaid shall be deemed to conform to the boundaries of the road and railway as located in accordance with the first survey made as aforesaid in the year eighteen hundred and eighty-one: Be it therefore enacted as follows:—

(1) The portions of Taupaki Block taken for railway by the aforesaid Proclamation Number 706, and shown in the schedule of areas on the plan numbered 3343, deposited as aforesaid, as being required for road, and comprising areas of three roods thirty-four perches and thirty-three perches respectively, shall be deemed to have been taken for road as from the date of the aforesaid Proclamation.

(2) The definition of the areas referred to in subsection *one* hereof shall be deemed to be as shown on the said plan numbered 2773 and as redefined on the said plan numbered 33799 as, firstly, portions of Taupaki Block, comprising areas of three roods and of sixteen perches respectively, edged yellow; secondly,

portions of Section 1, Block V, Waitemata Survey District, comprising areas of nineteen perches and five-tenths of a perch and of thirteen perches and four-tenths of a perch respectively, edged red; and,
5 thirdly, Section 2, Block V, Waitemata Survey District, comprising twenty-four perches and one-tenth of a perch, edged red.

(3) The issue of the said certificate of title in lieu of Crown Grant, Volume 62, folio 18, is hereby validated
10 as to the said Sections 1 and 2, Block V, Waitemata Survey District.

(4) Section 3 of the aforesaid block and survey district, being part of the land comprised in certificate of title, Volume 137, folio 189, Auckland Registry,
15 shall be deemed to have been stopped road at the time of the issue of certificate of title in lieu of Crown Grant, Volume 62, folio 18, and its definition shall be deemed to be as shown in Plan 33799 aforesaid, and the issue of the said certificate of title in lieu of Crown
20 Grant, Volume 62, folio 18, is hereby validated as to the said Section 3.

(5) The said Proclamation 9840 is hereby cancelled, and the said Proclamation 10218 is hereby cancelled so far as it concerns that part of Taupaki Block
25 containing four-tenths of a perch, and in lieu of the areas taken for road by the said Proclamation 9840 and the area of four-tenths of a perch taken for road by the said Proclamation 10218 that portion of Section 1, Block V, Waitemata Survey District, containing thirteen perches and four-tenths of a perch,
30 and that portion of Taupaki Block containing nine perches and two-tenths of a perch, shown in the said Plan 33799 by red edging and blue wash respectively, are hereby declared to be road.

(6) The District Land Registrar for the Land
35 Registration District of Auckland and the Registrar of Deeds for the said district are hereby authorized and directed to make all such entries in the register-books and to do all such things as may be necessary
40 to give effect to the provisions of this section.

Validating an agreement between His Majesty the King and the Wellington Harbour Board.

27. Whereas the Minister of Works on behalf of His Majesty the King and the Wellington Harbour Board (in this section referred to as the Board) have entered into and executed a certain agreement dated the twenty-fifth day of September, nineteen hundred and forty-six, relating to the acquisition and exchange of certain lands in the City of Wellington, a copy of which agreement is deposited in the office of the Minister of Works at Wellington under No. A. 365 (P.W. 24/2799): And whereas it is expedient that the said agreement should be authorized and validated: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the Minister of Works acting on behalf of His Majesty the King and the Board shall be deemed to have had all powers and authority necessary to enter into and execute the said agreement, and the same is hereby confirmed and validated and declared binding in law in all respects and shall have full force and effect according to its tenor.

Authorizing Auckland Hospital Board to sell certain endowment land.

28. Whereas the Auckland Hospital Board (in this section referred to as the Board) is seized of an estate in fee simple in all that piece of land described in subsection *four* of this section: And whereas the Board holds the said land upon trust as a site for a hospital and for or towards the maintenance and support of a hospital: And whereas the said piece of land is not required as a site for a hospital: And whereas the Board has no power of sale in respect of the said land and it is expedient that the Board be empowered to sell the said land for the purposes, in the manner, and subject to the conditions set out in this section: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act the Board may sell the said land or any part or parts thereof either together or in lots by public auction, public tender, or private contract or partly by one or partly by another or others of such modes and subject to such conditions as to title, time, or mode of payment of purchase money or otherwise as the Board thinks fit and with or without grants or reservations of rights of way or other rights and privileges of any description in relation to the land sold or any land remaining unsold. Provided that

before any land is disposed of under this section the Board shall set aside and reserve for public purposes a strip of land of such width as may be agreed upon between the Minister of Lands and the Board
5 along the mean high-water mark along so much of the land described in subsection *four* hereof as adjoins the Onepoto Stream.

(2) All moneys received by the Board by way of purchase-money shall be held by the Board upon
10 and subject to the same trusts, conditions, and purposes as the said land is held by the Board, or expended by the Board in the purchase or towards the purchase of other freehold land to be held upon the like trusts and conditions.

(3) The powers conferred by this section are in
15 addition to all other powers and authorities vested in the Board by any other Act.

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

20 All those pieces of land containing nine acres, one rood, fifteen perches and nine-tenths of a perch, more or less, being Lots 1 to 24 (inclusive) and 26 to 30 (inclusive) on a plan deposited in the Land Registry Office at Auckland as number 20403 being portion of
25 Allotments 14 and 15 of the Parish of Takapuna and being part of the land in Certificate of Title, Volume 531, Folio 12, Auckland Registry.