

RESERVES AND OTHER LANDS DISPOSAL BILL, 1946

EXPLANATORY NOTES

Clause 2: 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 (file L. and S. 6/8/74).—An area of slightly over $1\frac{1}{2}$ acres fronting Fulford and Dawsons Streets, New Plymouth, is vested in the Taranaki Hospital Board in trust as a site for an old men's home by the New Plymouth Hospital Exchange Act, 1903. The land has not for many years been used for the purpose for which it is vested as the Board has established an old men's home on another property. The area is actually part of the main hospital-site at New Plymouth, and the Hospital Board wishes to have the reference to an old men's home removed from the title. This clause therefore cancels the reservation for an old men's home and vests the land outright in the Taranaki Hospital Board.

Clause 3: Cancelling the reservation over an area of primary-education endowment and declaring it to be subject to Part I of the Housing Act, 1919 (file L. and S. 30/228/82).—The land dealt with in this clause is a quarter-acre residential section which is reserved as an endowment for primary education, and is situated in Winton Borough. It is suitable for housing purposes and adjoins an area already acquired by the Housing Department. The Education Department has approved of the land being taken over for housing purposes at a valuation which has already been agreed upon. The clause accordingly cancels the existing reservation as an endowment for primary education and declares it to be set apart for housing purposes under and subject to Part I of the Housing Act, 1919.

Clause 4: Cancelling the reservation over certain education-endowment lands in the North Auckland and Otago Land Districts and setting them apart as permanent State forests (files L. and S. X/91/46, 21/149/2544, X/100/35).—The land dealt with in this clause comprises four areas of education-endowment land in the North Auckland and Otago Land Districts. Two of these areas are reserved as primary-education endowment and the other two are secondary-education endowments. The areas in the North Auckland Land District comprise 66 acres 3 roods 16 perches of primary endowment and 74 acres 2 roods 16 perches of secondary endowment. They are situated about nine miles north of Whangarei and form portion of a compact block of over 600 acres, the balance of which has been acquired for afforestation purposes. The areas were formerly used for farming and were abandoned, but they are quite suitable for tree-planting, and it is desirable that they should be used for this purpose.

In the Otago Land District the lands affected comprise 281 acres 3 roods 33 perches of primary endowment and 145 acres 2 roods 4 perches of secondary endowment. The first-mentioned area lies into a block of land acquired as an addition to Berwick State Forest and with it forms a suitable block. It is situated about nine miles from Clarendon Railway-station, which is some thirty miles south of Dunedin, and is broken country only suitable for afforestation. The secondary-endowment area is in Block VIII, Akatore Survey District, some six miles east of Milton. The land is poor and not suitable for farming, but trees planted in the district have shown good growth. The freehold lands adjoining have been acquired for forestry purposes. It is desirable that all this endowment should be dealt with in the same manner, and the clause therefore cancels the existing reservation and declares the land to be set apart as permanent State forest under and subject to the Forests Act, 1921-22.

Clause 5: 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. (file L. and S. 1/885).—An area of slightly over 100 acres at Martinborough is vested in three trustees as a public recreation-ground and racecourse for the people of the township and surrounding district subject to a deed of trust dated 18th February, 1913. Under the deed of trust the trustees have powers of mortgage and lease, the proceeds to be used in carrying out improvements on the land, but they have not the power to sell. The property has not so far been required by the public as a recreation reserve, nor has it been used as a racecourse for many years. It has been leased by the trustees for farming purposes. From accumulated revenue the trustees acquired an area of 13 acres in Martinborough in June, 1927, for recreation purposes and drew up a deed of trust in connection with it. As the purchase was outside their powers it was validated by section 11 of the Reserves and other Lands Disposal Act, 1928. In 1933 the trustees had again accumulated considerable revenue, and they were, by section 11 of the Reserves and other Lands Disposal Act, 1933, granted wider powers of expending such funds on improvement of lands held by them and, with the consent of the Minister of Lands, they were empowered to purchase other land to be held on such trusts as the Minister might determine. In terms of this latter authority a further area of $7\frac{1}{2}$ acres in Martinborough was purchased for a public recreation reserve. The trustees now consider that on account of the necessity from time to time of appointing new trustees and the expense this involves it would be better to have some permanent body to control the land and revenues. The Featherston County Council has consented to accept the vesting of the area of slightly over 100 acres subject to the existing deed of trust. This area is within the County boundaries. The Martinborough Borough Council is willing to accept vesting subject to the existing trust of the areas of 13 acres and $7\frac{1}{2}$ acres respectively, which are both within the borough boundaries. The area of slightly over 100 acres is used mainly for grazing, except for use on occasional days each year for sports gatherings. The 13-acre area is the Martinborough Rugby Ground and the $7\frac{1}{2}$ -acre portion adjoins it, but is only used for grazing purposes at present. There seems to be no objection to these lands, which are essential for public use, being held in the manner suggested by the local bodies, who would administer them in terms of Part I of the Public Reserves, Domains, and National Parks Act, 1928.

The trustees now hold funds amounting to approximately £300, representing further accumulations of revenue. They consider that, having regard to the manner in which this revenue has been accumulated, a fair and just apportionment of the present funds would be £100 to the areas of 13 acres and $7\frac{1}{2}$ acres, and the balance to the area of slightly over 100 acres. The Featherston County Council and the Martinborough Borough Council are willing to accept an allocation of the funds on this basis.

Clause 6: 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 (files L. and S. 36/1531 and 36/1496).—The lands dealt with in this clause comprise:—

(a) An area of 985 acres of primary-education endowment in Block IV, Patoka Survey District, some 29 miles south-west of Napier. The area was held on lease under the Public Bodies' Leases Act, 1908, and the Crown purchased the leasehold interest in August, 1945. The land has always been worked in conjunction with an adjoining freehold block as one farm unit. This freehold has also been taken over by the Crown for the settlement of ex-servicemen and has been resubdivided for closer settlement as Hendley Farm Settlement. The education endowment now forms part of four subdivisions. If the reservation is retained, two types of tenure will have to be issued over each subdivision. It is desirable that one type of lease only should be given over each holding, and the clause therefore cancels the existing reservation and declares the land to be Crown land subject to the Small Farms Act, 1932-33.

(b) Two areas containing 98 acres 1 rood and 7 acres 1 rood respectively of primary-education endowment in Block VIII, Hautapu Survey District, near Mangaweka. These two areas formed part of a larger endowment of 925 acres that was also held under lease which expired 30th June, 1940. It was clear that the whole block was suitable for subdivision and the lease was not renewed, the lessee being paid for the value of his improvements. The Crown in 1944 purchased an area of 1,068 acres of freehold land adjoining the endowment, and the two blocks were amalgamated and subdivided into four sheep-farms for the settlement of ex-servicemen. These four farms now comprise the Awarua Farm Settlement. Two of the subdivisions are entirely composed of education endowment. One of the others is largely land subject to the Small Farms Act, 1932-33, but it contains a piece of education endowment, being the area of 98 acres 1 rood referred to. It is desirable that this subdivision should be disposed of on one type of lease over the whole area, and the clause provides for this by cancelling the existing reservation and bringing the land under the Small Farms Act, 1932-33. The smaller area of 7 acres 1 rood is the balance of the block of 985 acres, and the Crown has undertaken to provide the former owner of the freehold block with a homestead-site and suitable access to the residue of his holding which adjoins this small area. Consequently, it is necessary to cancel the reservation over it also and bring it under the Small Farms Act, 1932-33.

Clause 7: 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 (file L. and S. 6/1/397).—Block 96, Town of Oamaru, is a triangular-shaped piece of land situated in the south-west of the Oamaru Borough with its principal frontage to Severn Street. By the Oamaru Reserves Management Ordinance, 1875, the area was authorized to be vested in the Corporation of the Town of Oamaru in trust for recreation purposes, and the Superintendent of the Province of Otago was empowered to perfect such transfer, but this was not done, and the title now appears in the name of the Crown. The area is a grass paddock, and the Oamaru Borough Council now wishes to subdivide it, erect dwellings on the lots of the subdivision, and sell them preferably to ex-servicemen. Steps are being taken by the Council to raise the necessary finance for erection of houses. It is desirable to cancel the existing reservation and vest the land in the Borough Council and give the Council power to subdivide and sell the various lots. The value of the land is to be fixed by the Valuer-General, and an equivalent sum is to be paid by the Council into a special account and applied either in the purchase of other land for recreation purposes or in the improvement of existing reserves. The clause cancels the existing reservation and vests the land in the Council, which is also authorized to subdivide and sell it either for cash or on terms.

Clause 8: Authorizing the Hastings Borough Council to sell a library-site and to use the proceeds of such sale towards the erection of a new library building (file L. and S. 22/3630/105).—An area of $\frac{1}{4}$ acre in Market Street, Hastings, is held by the Hastings Borough Council upon trust for library purposes. The Hastings library building was at one time erected on it, but was destroyed in the earthquake on 3rd February, 1931. The Council has a new scheme which is known as the community centre scheme, part of which is that a new library building be erected on a site in Karamu Road in a different quarter of the town. The Council therefore desires to sell the Market Street site and apply the net proceeds of sale towards the cost of erection of a new library when building restrictions are eased. The clause therefore empowers the Hastings Borough Council to sell the Market Street site and apply the net proceeds towards the cost of erection of a new library building.

Clause 9: Authorizing the Waihi Borough Council to transfer certain land by way of gift to the Waihi Agricultural and Pastoral Association, Incorporated (file L. and S. 56513).—By section 21 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1913, an area of 28 acres 3 roods 14 perches at Waihi was vested in the Waihi Borough Council in trust as a site for a municipal abattoir, subject to a proviso that the land should be available for mining at a depth below 50 ft. from the surface. In 1933 the Council was empowered by section 4 of the Reserves and other Lands Disposal Act, 1932-33, to sell part of the abattoir-site containing 8 acres 2 roods 5·5 perches, but this land is not vested in the Council for any particular purpose. For many years past a piece of the abattoir-site comprising a little over 5½ acres and the whole of the 8 acres 2 roods 5·5 perches purchased from the Crown in 1936 have been used rent-free by the Waihi Agricultural and Pastoral Association, Incorporated, as a showgrounds-site. All the improvements on these two portions have been effected by the Agricultural and Pastoral Association, and the Borough Council desires to encourage the association's activities and thus help the fairly large farming community in and around the town. Waihi is a mining town, but there are considerable farming interests in the district, of which it is the centre. The annual agricultural and pastoral show is now an annual feature which attracts interest from a large surrounding area. To assist the association the Council desires to transfer both the areas occupied by it by way of gift, and as it has not the power to do this the clause cancels the reservation for a site for a municipal abattoir over the portion thereof containing 5½ acres and authorizes the Council to transfer it, freed from the existing trusts, together with the piece of land containing 8 acres 2 roods 5·5 perches, and without consideration, to the Waihi Agricultural and Pastoral Association, Incorporated, as a site for a permanent showground.

Clause 10: Cancelling the reservation for the purpose of a recreation reserve and motor-camp site in the Borough of Otaki and authorizing the sale thereof (file L. and S. 1/1147).—An area of a little over 15 acres of land was donated to the Otaki Borough Council some years ago for the purposes of a recreation reserve and motor-camp site. The area is beach sandhills and the Council has never been in a position to develop the whole area and use it for the purpose for which it was given. About a year ago the Council commenced development by levelling part of the land preparatory to roading, but has now expended all its available funds. The donor of the land suggested that the Council should sell the front portions and use the proceeds for the development of the balance. The portion proposed to be sold is a little over 4 acres, leaving about 11 acres (which is considered to be quite adequate) for the motor camp.

This clause authorizes the sale and further gives the Council power to spend the proceeds on the development of the balance of the recreation reserve and motor-camp site.

Clause 11: 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 (file L. and S. 1913/1457).—Pursuant to the provisions of the Johnsonville School Reserve Act, 1898, an area of ½ acre at Johnsonville was vested in the Johnsonville Town Board for the purposes of a common school at Johnsonville, subject to all laws and regulations relating to such schools in the Provincial District of Wellington. By the Johnsonville School Reserve Amendment Act, 1900, the Town Board was authorized to apply all rents and income on erection of buildings, &c., on such land or towards the erection of school buildings on other land in Johnsonville or for education purposes, such purposes being defined

in the Amendment Act. The Town Board has now agreed with the Wellington Education Board to vest without consideration portion of the reserve in the Education Board for a site for a kindergarten. The Town Board has no power to use the land for a kindergarten site or to transfer it to the Education Board for such purpose. The proposal has been referred to the Minister of Education, who has approved, and the clause therefore cancels the vesting of the portion of the school reserve concerned in the Johnsonville Town Board and vests it in the Wellington Education Board for a site for a kindergarten.

Clause 12: 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 (file L. and S. 22/3455).—By an Order in Council dated 21st December, 1927, a reserve for a site for municipal buildings, containing an area of a little over 5 acres, situated in the Borough of Rotorua, was vested in the Rotorua Borough Council, the Order in Council being published in the *New Zealand Gazette* of the 12th January, 1928. In 1944 a portion of this reserve, containing 2 roods, was, with the consent of the Borough Council, taken under the Public Works Act, 1928, for a fire-station, and now vests in the Rotorua Fire Board. The Fire Board now desires to acquire another portion of the reserve situated alongside the piece acquired in 1944, and this extra area also contains 2 roods. It will be used eventually as sites for dwellings for volunteer brigadesmen. The Borough Council has agreed to the extra area being taken on the understanding that the Fire Board pays £500 as compensation for it, and the Council wishes to use this money on the acquisition and development of other land for recreation purposes. Normally the compensation moneys require to be paid to the Public Trustee and would be applied as directed by an order of the Supreme Court. The clause therefore authorizes payment of the compensation-moneys by the Fire Board direct to the Borough Council, which is also authorized to expend such moneys on the acquisition of other land for recreation purposes.

Clause 13: 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 (file L. and S. 20/990).—An area of primary-education-endowment land in the Reefton Township, containing 1 acre and 10 perches, is required by the Mines Department for the erection of staff houses as a result of operations being undertaken by the Department in that locality. The land is not occupied on permanent tenancy and is quite suitable for residential purposes. Houses will be erected out of moneys provided from the State Coal-mines Account, and it is desirable that the land should be made subject to the provisions of the Coal-mines Act, 1925. The clause therefore cancels the existing reservation and declares the land to be Crown land set apart under Part III of the Coal-mines Act, 1925. The Education Department has no objection to the proposal.

Clause 14: Validating a certain deed affecting land in the Borough of New Plymouth (file L. and S. 13/219).—The Crown in 1945 acquired by agreement under the Public Works Act, 1928, the leasehold interest in an area of 22.46 perches fronting Egmont, King, and Ariki Streets, New Plymouth, on which is situated a building formerly known as "Harts Buildings." The building is now used for accommodation for the Social Security Department, and the purchase was negotiated on the understanding that the Crown would surrender its interest in the lease to the New Plymouth Borough Council on certain terms when the Crown had no further use for the premises. The Borough Council wishes to acquire the leasehold interest (it already owns the fee-simple) as part of a long-range plan for the acquisition of a block for a site for public buildings. A deed dated 15th March, 1946, was entered into by the Minister of Works, acting on behalf of the Crown, and the Council setting out, *inter alia*, terms under which the Crown's

interest could be acquired by the Council and providing for payment meantime by the Crown of a nominal rental annually. There is no expressed statutory authority covering the transaction and it is desirable to validate it. The clause therefore declares the aforesaid deed dated 15th March, 1946, to be valid and binding in all respects and the parties to it are deemed to have acted with full power and authority.

Clause 15 : Adding land to the M. J. Savage Memorial Park and Orakei Domain (file L. and S. 22/43/8).—In 1941 an area of about 18 acres at Bastion Point, Auckland, was constituted as the M. J. Savage Memorial Park. On it is situated the burial-ground of the late Right Hon. Mr. Savage, but the actual site of the burial-ground is excluded from the Orakei Domain, of which the balance of the 18 acres forms part, and the park, exclusive of the burial-ground, is under the control of the Auckland City Council in its capacity as the Orakei Domain Board. Lying to the south of the existing park is Crown land which it is desirable to set apart as an addition to the park lands and to the Orakei Domain. This area of Crown land is ideally situated for a children's playground and open reserve. A small piece of privately owned land containing 1 acre lies into the Crown block, and this piece is being acquired for recreation purposes under the Public Works Act, 1928, to enable the whole area of Crown and freehold lying between the existing park and a proposed school-site to be permanently set aside as a public domain and preserved for public use for all time under the name of the M. J. Savage Memorial Park. The clause therefore declares an area of approximately 20 acres of Crown land to be a recreation reserve, adds it to the Orakei Domain and to the M. J. Savage Memorial Park, and makes provision for similar action to be taken in respect of the acre now privately owned, and enables the addition of other areas to the park by Order in Council should this be desirable.

Clause 16 : 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 (file L. and S. 1/552).—An area of slightly over 248½ acres of recreation reserve is situated in the Waitakere Ranges, near Auckland. This area has never been used for recreation and lies into a large adjoining area owned by the Auckland City Council and used for water-conservation purposes. The recreation reserve is a source of several streams which feed the Huia Reservoir, which is only about a quarter of a mile from it. The Auckland City Council wishes to have the land added to its water-conservation holdings, and this seems desirable. The clause cancels the reservation for recreation purposes and declares the land to be a reserve for water-conservation purposes and vested in the Auckland City Council, with the proviso that if at any time it is not required for water-conservation purposes, then it is to revert to the Crown for a recreation reserve.

Clause 17 : Authorizing the Christchurch City Council to sell and lease portions of a municipal reserve (file L. and S. 6/1/523).—The land to which this section relates, containing 30 acres, is held in trust by the Corporation of the City of Christchurch for municipal purposes of the city without power of sale.

By Part XVI of the Municipal Corporations Act, 1933, no lease of such land may be for a longer term than one year unless sold by public auction or public tender, save (as refers to this particular reserve) in respect of any lease that shall be issued pursuant to section 13 of the Reserves and other Lands Disposal Act, 1933. This section empowered the City Council to lease part of the area comprising 15 acres for a term of thirty years for the purpose of establishing a soldiers' and sailors' settlement, the lease to be in favour of the Christchurch Returned Soldiers' Association, Incorporated (now the Christchurch Returned Services' Association, Incorporated). The rental is a nominal one, but no formal lease has ever been signed in terms of this authority. The City Council has, however, permitted the Returned Services' Association to erect

houses on a part of the land affected by section 13. The Council has also from its own resources erected single- and double-unit houses on other parts of it and now desires to dispose of these dwellings. The subdivision of the reserve for these purposes has involved the construction of streets, installation of sewerage, storm-water drainage, and other amenities. Legislation is necessary to amend section 13 aforesaid by making it applicable to only part of the land originally intended and is also necessary to enable the Council to sell the single-unit houses and to lease each unit in the double-unit dwellings. Statutory authority is also required to validate the subdivision as a whole and to facilitate the legalization of the streets.

The clause as drawn up provides the statutory authority for these requirements. The area referred to is situated at Sandilands, Christchurch.

Clause 18: Authorizing the Hurunui Rabbit Board to sell certain lands and directing the application of the proceeds of sale thereof (file L. and S. 6/1/453).—By an Order in Council dated 19th August, 1929, and published in *Gazette*, No. 58, of the 22nd August, part of Reserve 286, Canterbury Land District, situated some ten miles north-west of Hawarden, was vested by the Crown in the Hurunui Rabbit Board as a site for buildings of the said Board. At the time of vesting, the Rabbit Board was a fencing authority as well as a Rabbit Control Board, and the site at that time was most suitable for the then residence of the Rabbit and Fencing Inspector. Now the Board is a rabbit-control body only, and it is more convenient that the Rabbit Inspector's residence should be situated at Hawarden, and the present site is no longer suitable. Acting under the mistaken impression that it had power to sell the area, the Board in good faith disposed of it, and the sale received the consent of the Land Sales Court on the 19th of July last. The Board since then became aware that it had no power to sell, and now seeks legislative authority to dispose of the land and use the proceeds of the sale for the purchase of land in Hawarden as a site for the Rabbit Inspector's residence. The clause therefore authorizes the Board to sell the land freed and discharged from the existing trusts, reservations, and restrictions, and also empowers them to sign a transfer to the purchaser thereof, and further directs that the proceeds of sale shall be applied in and towards the cost of purchasing other land and buildings by the Board to be held in trust for the same purpose under which the present site is held and subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928.

Clause 19: Amending the boundaries of certain land reserved for a school-site in Block XI, Ongo Survey District (file L. and S. 6/6/856).—By a warrant dated 25th December, 1890, and published in *Gazette* No. 1 of 2nd January, 1891, Section 67, Block XI, Ongo Survey District (area, 10 acres and 32 perches), was reserved for a school-site. In 1895 Rewa Village and Village Settlement was laid off, and the boundaries of Section 67 were altered without the necessary formalities having been completed to validate such alteration. The lands actually laid off as sections in the village and settlement included portions of the school-site as originally reserved. The amended boundaries of Section 67 also included a piece of Crown land which had never been reserved as a school-site. The error was only recently discovered, and as leases and titles in terms of the amended boundaries have been issued, and such amendments are quite satisfactory to all the parties concerned, it is desirable to validate the amended boundaries of Section 67 and the lease issued as a result of such amended boundary over Section 6, Rewa Village Settlement, and the certificates of title over Sections 8 and 9, Rewa Village. The clause therefore brings about such amendment by cancelling the original reservation over Section 67 and substitutes in lieu thereof a reservation over the said section, but with the boundaries amended having regard to the lands laid off as sections of Rewa Village and Rewa Village Settlement.

Clause 20 : Effecting the exchange of certain areas of land between the Corporation of the City of Wellington, and certain private trustees (file L. and S. 22/4799).—In 1925 the late Mrs. Esther Bell George transferred to certain trustees upon trust for the purposes of the Young Men's Christian Associations of New Zealand an area of land at Silverstream containing 4 acres 2 roods 36 perches, and in 1928 she transferred to the same trustees (to be held upon the same trusts) a further area of 35.2 perches in the same locality. The trustees are not empowered by the deeds of trust to sell the lands to any person or Corporation other than the Corporation of the City of Wellington. The trust lands adjoin other lands held by the Corporation. Small portions of the trust lands are in process of being acquired by the Hutt County Council for roads, and the trustees have arranged with the Wellington City Council to exchange the balance of their lands for other lands of the Corporation at Kaitoke, these latter containing 25 acres and being portion of the areas vested in the City Corporation under the Wellington City and Suburban Water-supply Act, 1927. To effect the exchange the City Corporation requires statutory authority, as also do the trustees. The clause accordingly effects the exchange and declares the land being received by the trustees to be subject to the same trusts as are set out in the deeds of trust affecting the areas vested in them by the late Mrs. George.

Clause 21 : 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 (files L. and S. 16/2533, 21/218).—Tuturumuri Settlement is situated some 34 miles south-east from Featherston. It was subdivided for settlement in 1920, but the survey made for subdivision purposes did not have regard to certain legal, though unformed and unused, roads, which should have been closed before being included in some of the sections. Nor were steps taken to legalize portions of the land used for roads. The legal roads now included in the sections which should have been closed contain almost $10\frac{1}{2}$ acres, and the lands which should have been legalized as roads contain about $9\frac{1}{4}$ acres. To put the leases granted over portions of Tuturumuri Settlement and a certificate of title issued in respect of part of it in order, action is desirable to close the roads included in the sections and legalize as road the portions now shown as road, but which are not now legal, such action to be retrospective to 13th April, 1920, which was the date of approval of the plan of the subdivision by the Chief Surveyor. The clause accordingly closes the roads included in the sections of the settlement, legalizes the portions of the roads in use, but which are now not legal, and validates the leases and the certificate of title already issued.

Clause 22 : Authorizing the sale of the Ngatimoti Public Hall Reserve and directing the application of the proceeds thereof (file L. and S. 22/3532).—The area of land known as the Ngatimoti Public Hall Reserve contains 37 perches. It is situated rather too far from the centre of the district for convenience. On it is erected the public hall, and the land is vested in trustees subject to a deed of trust dated 1st October, 1927. This deed declares, *inter alia*, that the trustees shall hold the land in trust as and for a public reserve and recreation-ground for the pleasure and benefit of the inhabitants of the district. It does not permit the trustees to sell, mortgage, or exchange the site. A more suitable location for the hall has now been arranged, and the area concerned is being given to the trustees subject to the same trusts as affect the existing site. The trustees seek power to sell this site and to apply the proceeds of sale towards the cost of removing, repairing, and improving the public hall on its new site. The clause therefore authorizes the sale of the existing site and empowers the trustees to devote the proceeds towards the removal of the hall and its repair and improvement. The area affected is situated at Ngatimoti, some 46 miles north-west from Nelson.

Clause 23 : 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 (files L. and S.

X/95/15, X/95/17).—In 1886 an area of 1,000 acres in the Pohangina Valley was set apart for State forest purposes. Portion containing about 317 acres was sold in 1906, special statutory authority for such sale being obtained. The residue (644 acres by resurvey), save a small area legalized as a road, has remained as State forest. To the north of this block and adjoining it is an area of about 90 acres reserved in 1931 for scenic purposes. A piece of stopped Government road of an area of 16 acres runs through the State forest. The open portions of these areas are used extensively by residents of Palmerston North City and district for picnics and recreation, and the river-flats on the western boundary along the Pohangina River can be developed for camping, picnic, and sports purposes. The Palmerston North City Council wishes to undertake development of the open portions and would also take steps to preserve the bush. The most desirable method of controlling the land is as a public domain under the Public Reserves, Domains, and National Parks Act, 1928. The clause therefore cancels (a) the State forest reservation over the 644 acres, and (b) the reservation for scenic purposes over the 90-acre area, and constitutes both these pieces of land, together with the 16 acres of stopped road, as the Pohangina Valley Domain, and vests the control thereof in the Palmerston North City Council acting as the Pohangina Valley Domain Board. All the lands concerned are situated some twenty-two miles north-east of Palmerston North.

Clause 24: Conferring on certain lessees and licensees of land in Te Kuiti, Taumarunui, and Otorohanga a right to convert to renewable lease (file L. and S. 7/581/1).—The purchase-price of Crown lands held under lease or license in the Te Kuiti, Taumarunui, and Otorohanga Native Townships is fixed at (a) the purchase-price paid to the Maoris in the first place, plus (b) $2\frac{1}{2}$ per cent. for administration expenses, plus (c) interest from the original date of purchase from the Maoris. This in some instances makes the amount which lessees or licensees have to pay on their deciding to acquire the freehold out of all proportion to the present value of the land. The purport of this legislation is to afford any lessees or licensees an opportunity of converting their leases or licenses to renewable leases under the Land Act, 1924, under which the capital value will be fixed by the Land Board on present-day values. Such renewable leases will carry a right to acquire the freehold in accordance with the provisions of the Land Act, 1924.

Clause 25: Amending certain dealings with respect to lands in Block V, Waitemata Survey District (file L. and S. 13/108/96).—In 1881 a survey was made to give road access to Kumeu Railway-station, some 25 miles north of Auckland. A later survey made in 1883 for the purposes of redefining this access strip did not coincide with the earlier survey. In actual fact it defined a strip of land 1 chain to the east of the original survey. Although the purpose of both surveys was to define road access to the Kumeu Station, a Proclamation was issued in 1883 in terms of the incorrect survey taking the road strip for railway purposes. In 1905 a plan was lodged showing portions of road which had been stopped in 1891. These portions were in fact parts of the railway land taken in 1883. However, in error they were stopped and disposed of to an adjoining owner, together with another piece of land to which that owner already had title. A new survey was made in 1938 to enable certain areas to be taken for road as it was necessary to widen the main highway running along the northern boundary of Kumeu Station. This survey was based on the erroneous title, and Proclamations later took portions of this title for road. The error was discovered in 1940, and the position at that stage was that a certificate of title was in existence over two areas of railway land and a third area of land that was privately owned under another title. Parts of the sections in the incorrect title were, as already mentioned, legalized as a road by the later

Proclamations, and it became necessary to put the matter on a proper basis. A new survey was made for this purpose in 1945. The clause therefore puts matters in order by substituting in the Proclamation issued in 1883 the plan based on the correct survey made in 1881 and declaring the areas (in their correct position) to be road and not railway. It then stops portions of this road in its correct location, and the titles issued over these portions and the area privately owned are validated. The correct redefinition of all the areas concerned is declared to be the 1945 survey.

Clause 26: Validating an agreement between His Majesty the King and the Wellington Harbour Board (file L. and S. 13/226).—To complete the ownership of the Block the Crown is acquiring a portion which is not already Crown land of an island site having a frontage to Featherston, Whitmore, and Ballance Streets, and Customhouse Quay, Wellington City, as a site for the Reserve Bank block. The other owner affected is the Wellington Harbour Board, and the Board owns 1 rood 10·5 perches. A mutual arrangement has been arrived at between the Crown and the Board. The Crown is to pay the Board a certain sum already agreed upon for the land the Board holds in the block, and the Crown, on completion of this sale, is to vest in the Harbour Board an area of Crown land adjacent to Hinemoa Street, Wellington, for which the Board will pay a price already agreed upon. The date of settlement is to be 6th December, 1946. The agreement also covers conditions regarding occupancy of the area to be granted to the Harbour Board and value and disposal of buildings.

Clause 27: Authorizing Auckland Hospital Board to sell certain endowment land (file L. and S. 13/222).—The land dealt with in this clause is portion of the Auckland Hospital Board's endowment at Northcote. It contains a little over 9 acres, and was subdivided in 1927 into thirty residential sections and offered for lease. Only one section was taken up, and efforts to lease the remainder have been unsuccessful. There is, however, reason to believe that purchasers could be found if freehold titles could be given. The clause therefore authorizes the Board to sell the sections, the proceeds to be invested for hospital endowment purposes or used to purchase other areas to be held as endowments. The sections are bounded at the back by the Onepoto Stream, a tidal arm of the Waitemata, and the clause provides that before selling any of the sections the Board must set aside for public purposes a strip of land along high-water mark to the satisfaction of the Minister of Lands. There is a State housing block in the vicinity, an area of nearly 4 acres of the Board's endowment having recently been acquired for that purpose. However, the sections proposed to be sold under the authority of this clause are definitely not required for State houses.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

9th October, 1946

Hon. Mr. Skinner

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

- | Title. | |
|--|--|
| 1. Short Title. | |
| 2. 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. | 6. 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. |
| 3. Cancelling the reservation over an area of primary-education endowment and declaring it to be subject to Part I of the Housing Act, 1919. | 7. 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. |
| 4. Cancelling the reservation over certain education-endowment lands in the North Auckland and Otago Land Districts and setting them apart as permanent State forests. | 8. Authorizing the Hastings Borough Council to sell a library site and to use the proceeds of such sale towards the erection of a new library building. |
| 5. 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. | 9. Authorizing the Waihi Borough Council to transfer certain land by way of gift to the Waihi Agricultural and Pastoral Association Incorporated. |
| | 10. Cancelling the reservation for the purpose of a recreation reserve and motor-camp site in the Borough of Otaki and authorizing the sale thereof. |

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| <p>11. 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.</p> <p>12. 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.</p> <p>13. 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.</p> <p>14. Validating a certain deed affecting land in the Borough of New Plymouth.</p> <p>15. Adding land to the M. J. Savage Memorial Park and Orakei Domain.</p> <p>16. 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.</p> <p>17. Authorizing the Christchurch City Council to sell and lease portions of a municipal reserve.</p> <p>18. Authorizing the Hurunui Rabbit Board to sell certain lands, and directing the application of the proceeds of sale thereof.</p> | <p>19. Amending the boundaries of certain land reserved for a school-site in Block XI, Ongo Survey District.</p> <p>20. Effecting the exchange of certain areas of land between the Corporation of the City of Wellington and certain private trustees.</p> <p>21. 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.</p> <p>22. Authorizing the sale of the Ngatimoti Public Hall Reserve and directing the application of the proceeds thereof.</p> <p>23. 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.</p> <p>24. Conferring on certain lessees and licensees of land in Te Kuiti, Taumarunui, and Otorohanga a right to convert to renewable lease.</p> <p>25. Amending certain dealings with respect to lands in Block V, Waitemata Survey District.</p> <p>26. Validating an agreement between His Majesty the King and the Wellington Harbour Board.</p> <p>27. Authorizing Auckland Hospital Board to sell certain endowment land.</p> |
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A BILL INTITULED

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

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

Short Title. 1. This Act may be cited as the Reserves and other Lands Disposal Act, 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:—

(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:—

(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.

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

Cancelling the reservation over an area of primary-education endowment and declaring it to be subject to 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 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, 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 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 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 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:—

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 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, 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
20 same is more particularly delineated on the plan marked L. and S. X/100/35, deposited in the Head Office, 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
25 a public recreation-ground and racecourse for the people 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
30 trustees in trust for a public recreation reserve for the 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
35 trustees are no longer desirous of acting in that capacity and it is desirable that the said lands and funds should 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:— 30

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. 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 sub-
20 divided into holdings for the settlement of servicemen: 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
25 Farms Act, 1932-33: And whereas it is expedient 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:—

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

30 (1) The reservation as endowments for primary-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
35 Act, 1932-33.

(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

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
5 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
10 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,
15 ballot at a fixed price or by private contract as the Council may in its discretion decide.

1941, No. 25

(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.
20

(6) The land to which this section relates is particularly described as follows:—
25

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
30 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
35 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
40 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

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

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

(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

(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 do all things necessary to give effect to the provisions of this section. 20

(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 excluding therefrom any minerals on or under the said 30 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 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 Land Registry Office at Auckland under Number 32786, 40 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
10 being portion of the land comprised and described in
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 John-
sonville 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 John-
sonville Town Board has no power to dispose of it for
that purpose: Be it therefore enacted as follows:—

(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.

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

(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. 5

(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 10 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 15 Registry.

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 20 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 25 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, 30 1928, for a fire-station.

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

13. 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:—

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(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.

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

15 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.

20 14. (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.

(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.

15 15. 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

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

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

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

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:—

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

(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. 5 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. 15

(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.

(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. 20

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

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. 30 35 40

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
 5 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.

10 **16.** 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
 15 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
 20 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
 25 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:—

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.

(1) The reservation for recreation purposes over
 25 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
 30 at any time for those purposes it shall revert to the Crown and shall be held for the purposes of a recreation reserve.

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

35 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

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, 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. 5

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

1933, No. 30

1933, No. 45

17. 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 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 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 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, 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 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 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 10 15 20 25 30 35 40

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
5 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
10 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
15 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,
20 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
25 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
30 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
35 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
40 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 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 contained 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 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 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 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 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, 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 5 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.

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

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, 15 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.

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

All those areas in the Canterbury Land District, containing by admeasurement a total area of two acres 25 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 30 Number S.O. 7789, and thereon bordered blue.

(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, 35 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, 40 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.

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

18. 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.

19. 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.

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

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

20. 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.

(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
5 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.

10 (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
15 be necessary to give effect to the provisions of this section.

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

20 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
25 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
30 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.

Secondly, all that piece of land situated as aforesaid, containing by admeasurement three perches, more or
35 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
40 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.

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 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 of title, Volume 383, folio 149, Wellington Registry. 5 10

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 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. 15

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.

21. 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 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 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 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 thirteenth day of April, nineteen hundred and twenty, and lodged as aforesaid, without first having been closed 20 25 30 35 40

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
5 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,
10 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:—

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

(1) The roads hatched green and coloured green on Plan 21376, lodged in the office of the Chief Surveyor
15 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
20 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
25 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,
30 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.

Ibid.,
Vol. VII,
p. 1161

(4) The District Land Registrar of the Land
35 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.
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Authorizing
the sale of the
Ngatimoti
Public Hall
Reserve and
directing the
application of
the proceeds
thereof.

22. 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 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 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, 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 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, 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:—

(1) Notwithstanding anything to the contrary in the said declaration of trust, the trustees of the said 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 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 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 certificate of title being limited as to parcels:

23. 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
 5 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
 10 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
 15 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
 20 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
 25 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
 30 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:—
 35 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: com-
 40 mencing 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

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

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 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, 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 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 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 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 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 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 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 thereon coloured green.

24. (1) This section applies—

5 (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, 10 1924, or were granted in substitution (whether mediately or immediately) for any such license so granted:

15 (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.

20 (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 25 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.

30 (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.

35 (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 40 of their registered priority.

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

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

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

25. 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 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

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
5 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,
10 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
15 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
20 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
25 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
30 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
40 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, thirdly, Section 2, Block V, Waitemata Survey District, comprising twenty-four perches and one-tenth of a perch, edged red. 5

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

(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, 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 Grant, Volume 62, folio 18, is hereby validated as to the said Section 3. 15 20

(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 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, 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. 25 30

(6) The District Land Registrar for the Land 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 to give effect to the provisions of this section. 35 40

26. 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 5 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. 10 24/2799): And whereas it is expedient that the said agreement should be authorized and validated: Be it therefore enacted as follows:—

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

Notwithstanding anything to the contrary in any Act, the Minister of Works acting on behalf of His 15 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 20 effect according to its tenor.

27. 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 25 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 30 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:—

Authorizing Auckland Hospital Board to sell certain endowment land.

(1) Notwithstanding anything to the contrary in 35 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 40 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 along the mean high-water mark along so much of the land described in subsection *four* hereof as adjoins the Onepoto Stream. 5

(2) All moneys received by the Board by way of purchase-money shall be held by the Board upon 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. 10

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

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

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 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. 25