

## RESERVES AND OTHER LANDS DISPOSAL BILL, 1947

### EXPLANATORY NOTES

*Clause 2:* Cancelling the reservation for scenic purposes over Section 1, Block IV, Otahuhu Survey District, and adding it to the Beachlands Domain (file L. and S. 170).—In 1905 Motukaraka or Flat Island (Section 1, Block IV, Otahuhu Survey District) which is in the Tamaki Strait, Hauraki Gulf, about 25 chains off-shore from the seaside resort of Beachlands, was reserved for scenic purposes. The island contains 14 acres and can be approached on foot from Beachlands at low water and is visited by quite a number of people in the summer months. The only growth on the island is on the foreshore where there are a few trees, mainly Pohutukawas and Karakas. On the foreshore are steep cliffs, the greater part of the island being plateau in grass. As the area is of very little scenic value and is a popular picnic spot it is desirable to have it administered as a public domain. The Beachlands Domain Board is quite willing to take over its administration and will preserve the existing small growth of bush and spend its funds in providing amenities.

The clause therefore cancels the reservation for scenic purposes and declares the area to be an addition to the Beachlands Domain under and subject to the control of the Beachlands Domain Board.

*Clause 3:* Cancelling the vesting of certain lands in the Corporation of the County of Whakatane for tree-planting purposes and declaring parts of the said lands to be a public domain and a public-hall site respectively (file L. and S. 1/1131).—In 1925 an area of Crown land containing 720 acres at Onepu near Te Tako some seventeen miles south from Whakatane, was vested in the Whakatane County Council for tree-planting purposes and was planted in pines and spruce. The trees have been cut over a small part of the block comprising 9 acres, and this is a desirable site which the local people wish to develop as a domain, retaining a small piece for a public-hall site. The local body is quite agreeable to the proposal and the clause therefore cancels the vesting of the 9 acres in the Whakatane County Council and constitutes the greater part of it as the Onepu Domain and reserves a small hall-site of half an acre.

*Clause 4:* Cancelling the reservation over an area of education-endowment land in the Otago Land District, and declaring it to be Crown land set apart under the Small Farms Act, 1932-33 (file L. and S. 36/1620).—The land dealt with in this clause comprises an area of a little over 200 acres of primary-education-endowment land in Block I, Rangleburn Survey District, some twenty-three miles north-west of Balclutha and fifteen miles from Waiwera Railway-station. The area was held on lease under the Public Bodies Leases Act, 1908, and the Crown purchased the leasehold interest towards the end of 1946. The area has always been worked in conjunction with an adjoining block of 1,700 acres of freehold land, which was lately purchased for the settlement

of ex-servicemen and it will be included in one of the subdivisions of this block, which has been resubdivided for closer settlement and is known as "Cranleigh Farm Settlement." If the reservation is retained two types of tenure will have to be issued over this particular subdivision, but it is desirable that one type of lease only should be given. The clause therefore cancels the existing reservation and declares the land to be Crown land subject to the Small Farms Act, 1932-33.

*Clause 5 :* Cancelling the reservation over an area of primary-education endowment in the Township of South Mossburn, and constituting the said land as the Mossburn War Memorial Park Domain (file L. and S. 1/1178).—The residents of Mossburn, Southland, some sixty-two miles north-west from Invercargill, are interested in the development of a war memorial domain and the erection of a community-centre building in the township. The most suitable land is 5½ acres of primary-education endowment and the local people have already purchased the leasehold interests in this block so that it may be laid out as a recreation area. The Education Department is agreeable to the proposal without requiring compensation, and the clause therefore cancels the existing endowment reservation, declares the land to be a recreation reserve, and sets it apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as the Mossburn War Memorial Park Domain, thus paving the way for the appointment of a Domain Board to control it. Special authority is also given for the erection of buildings to be used for a community centre.

*Clause 6 :* Cancelling the reservation over an area of primary-education endowment and adding it to the Egmont National Park (file L. and S. 4/897).—An area of a little over 211 acres of primary-education-endowment land in the Taranaki Land District near Warea, about twenty-two miles from New Plymouth, is adjacent to the Egmont National Park, being separated from it by Forest Road. This particular portion of the endowment is in valuable native bush and may best be administered by the Egmont National Park Board as portion of the Park lands. The Park Board is anxious to secure the area, which is of excellent scenic value, and the Education Department is agreeable to the proposal without requiring the endowment account to be compensated. This excellent stand of bush should be preserved in the public interests, and the clause therefore cancels the reservation for primary-education-endowment purposes and declares the land to be an addition to the Egmont National Park and to be subject to the provisions of the Egmont National Park Act, 1924.

*Clause 7 :* Cancelling the vesting of certain lands in the Corporation of the County of Hutt and vesting the said lands and certain other lands in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery (file L. and S. 2/38).—The present cemetery at Taita is mainly vested in the Hutt County Council, although it is within the boundaries of Lower Hutt City. About 142 acres is actually owned by the County Council for cemetery purposes, and of the balance 10¾ acres is still in the name of the Crown, and 2¾ acres is in the name of cemetery trustees. The actual control of the cemetery has been undertaken by the County Council. It has been agreed by the local bodies concerned that its control should be more properly exercised by the Hutt City Council, and the land is within the city boundaries. The trustees in respect of the area of 2¾ acres are all dead and their duties have long since been assumed by the County Council. The Crown, although the owner of 10¾ acres, has never exercised control, and it is equitable that the City Council should accept the vesting and administer the whole area.

The clause therefore cancels the existing vesting and revests all the lands in the City Council in fee-simple in trust for cemetery purposes. The cemetery is the main burial-ground for Hutt City and district.

*Clause 8 :* Authorizing the Gisborne Harbour Board to lease Section 14, Town of Gisborne (file L. and S. 6/1/118).—This section of 37 perches, situated in Pitt Street, Gisborne, was set apart as a pilot-station in 1872. Although it has been occupied by the Gisborne Harbour Board since 1884, the Board did not have title until 1916. The title vests the land in the Board for the purposes of a pilot-station and harbour improvement purposes without power of sale. In view of the terms of the vesting doubt has arisen as to the Board's ability to lease the land, which is not required for the purposes for which it is reserved. The Board has removed its buildings and wishes to arrange a lease. The Marine Department has no objection and the clause confers on the Board the usual leasing powers of the Public Bodies Leases Act, 1908.

*Clause 9 :* Cancelling the vesting in the Corporation of the City of Auckland of portion of the Auckland Domain and declaring it to be vested in His Majesty the King as a reserve for hospital purposes (file L. and S. 1/550).—Early in the last war it was necessary to construct a military annex adjoining the Auckland Hospital to permit of efficient administration and to take advantage of the existing hospital facilities. An area of approximately  $4\frac{1}{4}$  acres of the Auckland Domain was the only convenient land available. The annex at first was intended to be a temporary one, but local conditions have rendered necessary its retention on a more or less permanent basis. The Auckland City Council, realizing the necessity, has agreed to the land being made available as a hospital-site, but asked for other suitable recreation areas to be provided within the boundaries of Auckland City. As a result the Crown has already added 22 acres to the Orakei Domain at Bastion Point as an addition to the "M. J. Savage Memorial Park" and will shortly complete a further addition of a still larger area to the same domain. This arrangement is satisfactory to the City Council and is a generous provision on the Crown's part to the recreation lands available in Auckland. As the Auckland Domain is vested in fee-simple in the City Council, special legislation is required to alter the status of it, and the clause therefore cancels the vesting in the Corporation of the City of Auckland and declares the domain land to be vested in the Crown as a reserve for hospital purposes.

*Clause 10 :* Authorizing the Manukau County Council to keep one account covering both the East Tamaki Domain and the East Tamaki Recreation Reserve (file L. and S. 1/216).—The East Tamaki Domain of  $5\frac{1}{2}$  acres is administered by the Manukau County Council, acting as a Domain Board. Adjoining the domain is an area of similar size held by the Manukau County Council in trust as a recreation reserve. Both areas are being developed as one recreation-ground with funds provided from the General Fund of the Council and public subscription. It is therefore desirable that only one account should be kept to record the financial transactions in respect of both areas. In terms of section 62 of the Public Reserves, Domains, and National Parks Act, 1928, the Council is required to keep a separate account for the domain area. This clause gives authority to keep an amalgamated account for both areas. The account will be subject to Government audit. The lands concerned are situated at East Tamaki, some four miles east of Otahuhu, near Auckland.

*Clause 11 :* Cancelling the vesting of portion of a reserve for a public park, recreation-ground, and botanical gardens, in the Corporation of the City of Palmerston North, revoking the reservation and vesting it in the Board of Governors of the Palmerston North High School (file L. and S. 1/1158).—Section 4 of the Wellington Reserves Act, 1876, Amendment Act, 1877, authorized the issue of a Crown grant to the Palmerston North Borough (now City) Council over an area of 340 acres in the borough for a public park, recreation-ground, and botanical gardens. Since then the local body has obtained special leasing powers over portions of the area, and part of it, containing 6 acres, in 1919 was vested outright in the Board of Governors of the

Palmerston North High School, and at present the girls' high school is erected on this 6-acre piece. Adjoining it is a portion of about  $1\frac{1}{2}$  acres which is part of the original reserve of 340 acres and is still vested in the City Council. This area has been leased for some years past to the Board of Governors, but it has no access from a street and is in poor grass. The Board desires to erect a hostel and additional school buildings for which the  $1\frac{1}{2}$ -acre piece is ideal. The present high-school grounds are fully occupied by buildings and playing areas, and there is no space on them for erection of a hostel or for extensions to the school itself. The City Council is willing to donate the  $1\frac{1}{2}$  acres to the Board for this purpose, and the clause cancels the existing vesting and reservation and vests it in the Board for a hostel-site and for the erection of additional school buildings. This area is definitely not required for recreation purposes.

*Clause 12:* Authorizing the Tolaga Bay Harbour Board to sell certain land and directing application of the proceeds of the sale thereof (file L. and S. 22/2499).—The Tolaga Bay Harbour Board acquired a section of 1 acre in Tolaga Bay in 1932 for harbour purposes, and, subsequent to that date, built a cottage on this section out of loan-moneys provided by the Tolaga Bay Harbour Board Conversion Loan, 1934. Little shipping now uses the harbour facilities at Tolaga Bay, most of the produce from the district being transported by road. The Harbour Board has, in consequence, to reduce its staff and this house property, which is situated well away from the harbour, is not now required. The Board has arranged a contract to sell, which has been approved by the Land Sales Court, but lacks statutory authority to dispose of the land. As it is no longer necessary for the Board to retain the land and dwelling, the clause authorizes the Board to sell and directs that the proceeds shall form part of the sinking fund in connection with the loan raised in 1934, out of which loan, the moneys for the erection of the cottage were provided.

*Clause 13:* Declaring land set apart as an endowment for the Auckland Museum to be subject to Part I of the Housing Act, 1919 (file L. and S. 22/2499).—The area dealt with in this clause is a block of residential sections in Tolaga Bay Township, containing 1 acre. It is quite suitable for housing purposes, and the Auckland Museum authorities have agreed to hand it over conditional on the purchase-price being paid to the Auckland Institute and Museum Trust Board. There is a doubt concerning the authority for this action, and as a satisfactory sale-price has already been arrived at, the clause accordingly cancels the existing setting apart as an endowment for the Auckland Museum and declares the land to be subject to Part I of the Housing Act, 1919.

*Clause 14:* Cancelling the reservation over certain education-endowment lands in the North Auckland, Auckland, Gisborne, Wellington, and Nelson land districts, and declaring them to be subject to Part I of the Housing Act, 1919 (files L. and S. 30/228/1, 30/228/28, 22/2499, 30/228/72, 20/990, and 20/195).—The lands dealt with in this clause comprise six small areas of education-endowment land in the North Auckland, Auckland, Gisborne, Wellington, and Nelson land districts. Five of the areas are reserved as primary-education endowments and the sixth is a secondary-education endowment.

The area in the North Auckland Land District comprises a block of building-sites in Avondale District, City of Auckland, of a little less than an acre.

The Auckland Land District area is actually situated in the Rotorua Township and comprises one  $\frac{1}{4}$ -acre section adjoining a larger block on which are erected State houses.

The land in the Gisborne Land District is in Tolaga Bay Township and comprises five  $\frac{1}{4}$ -acre sections.

There is one  $\frac{1}{4}$ -acre section in the Wellington Land District in the Borough of Raetihi.

▼

The lands in the Nelson Land District comprise two small blocks of a little over  $\frac{1}{4}$  acre and  $\frac{1}{2}$  acre respectively each in Reefton Township. All the areas concerned are suitable residential sites and the Education Department has, in all cases, approved of their being taken over for housing purposes at a valuation which has been agreed upon.

The clause accordingly cancels the existing reservations as endowments for primary and secondary education as the case may be, and declares the lands concerned to be set apart for housing purposes under and subject to Part I of the Housing Act, 1919.

*Clause 15 :* Amending and extending the operation of section 25 of the Reserves and other Lands Disposal Act, 1941, and section 3 of Reserves and other Lands Disposal Act, 1943 (extending term of certain leases, &c.) (file L. and S. 13/1/15).—Section 25 of the 1941 Act extended for a period of five years the term of Crown leases which normally would have expired during the years 1942, 1943, 1944, 1945, and 1946. Section 3 of the 1943 Act extended the term of these leases for a further period of two years, and also extended for a period of two years the term of leases normally expiring in 1947 and 1948. It had been hoped that there would be no need for further extensions; but, unfortunately, these hopes have not been realized. The calls of land-settlement and other business are so pressing that no prospect is seen at present of handling in a proper manner the work involved in the renewal of leases. It has therefore been decided to ask for authority to extend for a further period of two years the term of all leases previously extended by the 1941 and 1943 legislation, and also to extend for a period of four years the term of leases which would normally expire in 1949 and 1950. The effect will be that leases which normally would have expired during 1942 to 1950 will now fall due for renewal during 1951 to 1954.

*Clause 16 :* Cancelling the reservation for primary-education-endowment purposes over certain land in the Borough of Taihape and reserving it for defence purposes (file L. and S. 6/11/132).—In 1941 the War Cabinet gave approval to the erection of a recreation-hut at Taihape for the use of service personnel on leave from the Waiouru Military Camp. The Education Department consented to the use of a small unused area of education reserve containing  $\frac{1}{4}$  acre for the purpose. A building valued at £3,000 was erected. It is now desired that the land should be reserved for defence purposes and the building used as an Area Office and Services Club. A sum of £400, being the value of the land in 1941, will be credited to the Primary Education Endowment Account. The Education Department has agreed. The clause therefore cancels the primary-education-endowment reservation and reserves the land concerned for defence purposes.

*Clause 17 :* Cancelling the reservation over a recreation reserve in the City of Christchurch and declaring it to be subject to Part I of the Housing Act, 1919 (file L. and S. 1/975).—An area containing 1 acre 3 roods 0·6 perches was vested in His Majesty the King for recreation purposes on the subdivision of private land. The Department of Housing Construction has acquired a large block of land surrounding the reserve, for subdivision for State housing purposes. The reserve in its present position is interfering with the general subdivision scheme of the housing land, which makes other ample provision for recreation areas, rendering the present reserve unnecessary. The clause accordingly cancels the existing reservation for recreation purposes over the reserve in question and declares it to be set apart for housing purposes under and subject to Part I of the Housing Act, 1919.

*Clause 18 :* Vesting a public reserve in the Town of Russell in His Majesty the King as an addition to the Kororareka Domain (file L. and S. 1/327).—The land comprising the above-mentioned reserve and containing a little less than  $\frac{1}{2}$  acre was formerly owned by the Russell Croquet Club, but during the war years the ground was

neglected and it was beyond the resources of the club to bring it back into playing condition. The club transferred the area to the Russell Town Board which has requested that it be added to the adjoining Kororareka Domain, which is controlled by the Town Board in its capacity as the Kororareka Domain Board. The clause therefore cancels the vesting in the Town Board and vests the land in the Crown for recreation purposes as part of the Kororareka Domain under the control of the Kororareka Domain Board.

*Clause 19:* Cancelling the reservation over part of an endowment for primary education in the North Auckland Land District and adding it to the Okaihau Domain (file L. and S. 48037).—This area of a little over 7 acres situated near Okaihau, North Auckland, was formerly part of a larger area of 15 acres of education endowment used by the Auckland Education Board as a school-site. The 15 acres was never vested in the Board and only about 1 acre is used for school purposes. The Board is no longer interested in the balance, portion of which, comprising 5 acres, has already been leased to an ex-serviceman. The 7 acres is covered in native bush and adjoins portion of the Okaihau Domain and the Domain Board has asked that it be added to the domain area. The Education Department has consented to this proposal and the clause therefore cancels the existing reservation as an endowment for primary education and declares the land to be reserved for recreation purposes and to be added to the Okaihau Domain.

*Clause 20:* Authorizing the Lower Hutt City Council to enter into certain leases (file L. and S. 1/754/1).—About  $4\frac{1}{4}$  acres of Mitchell Park fronting Mitchell Street, Lower Hutt City, is owned by the Lower Hutt City Council, in trust for the use and enjoyment of the public as a pleasure-ground. In the near future a further 3 acres adjoining that already owned by the Council is to be vested in it for recreation purposes, making a total park area of about  $7\frac{1}{4}$  acres. The Council has expended upwards of £5,000 on development of the park, mostly on the construction of lawn tennis-courts and bowling and croquet greens. The leases of these facilities were offered by public tender and the successful tenderers were the Hutt Valley Lawn Tennis Association, in respect of the tennis-courts, and the Naenae Bowling and Croquet Club secured the lease of the bowling and croquet greens. The rentals, terms, and conditions have been approved by the Land Sales Court. There is a clause in each lease to the effect that one tennis-court, one bowling-green, and one croquet-green are to be kept free and available at all reasonable times for the use of the public of Hutt. The tennis association caters for tennis for the whole district and the Naenae Bowling and Croquet Club provides adequate facilities for those interested in these forms of sport. The leases as drawn up give these sporting bodies security of tenure, that in favour of the tennis association being for a term of twenty-five years, and the bowling and croquet clubs' lease is for twenty-one years with a right of renewal for one ten-year term. The terms as arranged are outside the usual leasing powers of the City Council, but having regard to the benefits they provide for the district and the security given to the lessees, it is desirable that the leases be validated. The clause does this and validates both transactions.

*Clause 21:* Cancelling the reservation over and authorizing the sale of the Hukerenui Domain together with certain land held by the Hukerenui Agricultural and Pastoral Association, Incorporated, and providing for the application of the proceeds for the acquisition of other land for recreation purposes and as a site for a Memorial Hall (file L. and S. 1/296).—The Hukerenui Domain (area 24 acres) situated twenty miles north-west of Whangarei, is entirely unsuitable for recreation purposes and comprises low lying and wet land. Land (74 acres 1 rood 15 perches) held by the Hukerenui Agricultural and Pastoral Association, Incorporated, and situated some two and a half miles from Hukerenui, is also unsuitable for show purposes and has never been used

in that connection. An area of approximately 10 acres centrally situated, close to the railway-station, with good access, has been selected by locally interested parties as suitable for development as a domain and as a site for a Memorial Hall. Shows could also be held on the area. The owners of the area are prepared to sell to the Crown conditional on the sale to them of the present showground area, which is inferior land and not suitable for an ex-serviceman. The Hukerenui Agricultural and Pastoral Association is agreeable to the proposal and desires to apply the funds arising from the sale of its holding towards the purchase and development of the new domain, which can be utilized for both sports and shows. This clause therefore empowers the association to sell its existing property and to apply the proceeds towards the purchase and improvement of the area which it is proposed to acquire for a new domain. It also authorizes the sale of the existing domain and makes provision for the proceeds of sale to be applied in the purchase and improvement of other domain land.

*Clause 22 :* Empowering the Napier Harbour Board and the Napier Borough Council to enter into an agreement for the disposal of a public reserve vested in the Corporation of the Borough of Napier and provisions incidental thereto (file L. and S. 13/224).—The land dealt with in this clause comprises 2 acres 0 roods 1·6 perches situated in the Borough of Napier. In 1933 the Napier Harbour Board and Napier Borough Enabling Act, 1933, was passed to facilitate the expansion of the Borough of Napier, by the development and subdivision of what is known as Marewa. The land at Marewa was vested in the Napier Harbour Board as an endowment and the 1933 legislation made provision for the development and subdivision of the area by the Borough Council. In terms of section 4 (2) (b) of the 1933 Act, provision was made for the transfer from the Harbour Board to the Council of areas for parks and reserves. Lot 209, Marewa, dealt with in this clause, was one of the areas transferred to the Council for the purpose of a public park. As there is an abundance of open space for recreation in the vicinity all parties concerned are now agreed that Lot 209 should be subdivided and (with the exception of a small area to be retained as reserve) made available for residential sites. This clause therefore empowers the Harbour Board and the Council to enter into an agreement for the subdivision of portion of the allotment into building sections, and for these sections to be divided equally between the Board and the Council, freed and discharged from any trust or restriction affecting same. The clause also authorizes the Council to lease with right of purchase those sections which are retained by it. The subdivision of the area will result in eight building-sites being made available.

*Clause 23 :* Cancelling the reservation over portion of the Millerton Domain and declaring it to be Crown land (file L. and S. 1/35).—The land dealt with in this clause comprising 4 acres 2 roods 14 perches forms portion of the Millerton Domain (7 acres 3 roods 38 perches). It is broken, rocky ground, which is unsuitable for recreation purposes and has been subdivided for building-sites. Portions of the area have been leased for many years past and in some cases buildings have been erected. As the leases have now expired it is desirable that the area be taken out of the domain and that future leasing proposals be dealt with under the provisions of the Land Act, 1924. This clause makes provision accordingly. The balance (3 acres 1 rood 24 perches) of the domain is sufficient for the future recreation requirements of the district.

*Clause 24 :* Section 21 of the Reserves and other Lands Disposal Act, 1941, amended (file L. and S. 6/8/67).—Section 21 authorizes the use of 1 acre 24·08 perches of the Rotorua Domain as a site for a hospital for convalescent soldiers. It also makes provision for a lease to the Crown of 3 acres 14·8 perches of stopped streets (vested in the Rotorua Borough Council) which comprise part of the hospital-site. Section 21 also provides that the lease of the stopped streets shall be for the duration of the war with Germany and for ten years thereafter, and authority is granted to use the domain

area for a similar term. A hospital is now erected on the combined areas. There has recently been a considerable reduction in the number of soldier patients requiring treatment at the hospital, but a pressing demand exists for accommodation for civilian patients suffering from rheumatism and like ailments, who are normally treated in the Rotorua Sanitorium. It was intended to rebuild the sanitorium but shortages of manpower and materials have prevented the new building progressing beyond the foundations. Because of the urgent need it has therefore been agreed with the Borough Council that the convalescent hospital be also used for treatment of persons suffering from rheumatic complaints, and the period of occupation of the present buildings and site has now been arranged so as to terminate ten years from 15th August, 1945 (VJ Day). The proposed period of occupation and the extended use of the hospital are outside the scope of the existing legislation. This clause therefore amends section 21 of the Reserves and other Lands Disposal Act, 1941, in accordance with the new agreement reached between the Crown and the Borough Council.

*Clause 25:* Authorizing the Nelson Harbour Board to relinquish its claims to an accretion area in favour of the Nelson City Council (file L. and S. 22/3258).—The land dealt with in this clause comprises some 220 acres of sea accretion at Tahuna Beach, Nelson. In 1909 the Nelson City Council purchased 40½ acres at Tahuna Beach, together with the vendors' right and title to an accreted area estimated at 150 acres. By deed of poll these areas were subsequently declared by the Council to be held in trust as pleasure-grounds or for any other purpose of enjoyment or recreation. There has since been still further accretion as a result of sea action and the accreted area now amounts to approximately 220 acres. This accretion has become well stabilized in the course of time and has been developed by the Tahuna Sands Association along with the adjoining area of 40½ acres. The Sands Association, which includes on its executive two representatives of the Nelson City Council, and one representative each from the Tahunanui Town Board, the Nelson Harbour Board, and the Waimea County Council, has a lease at a peppercorn rental of the combined areas. The association is reported to have spent some £30,000 in developing the area. In addition to moneys raised by the association, grants for improving and developing the area are made by interested local bodies. There is, however, some doubt as to the status of the accreted land and of the Council's right to deal with it. The Nelson Harbour Board claims that the accreted land is virtually part of the foreshore land vested in the Board as endowment pursuant to section 4 of the Nelson Harbour Act, 1905. The Harbour Board is prepared to abandon its claims to the accreted land provided that it is given the necessary statutory authority to do so. This clause accordingly makes provision for the Nelson Harbour Board to relinquish its claims in favour of the Nelson City Council.

*Clause 26:* Authorizing the closing of portions of a street in the Borough of Runanga and vesting the same in the Crown (file L. and S. 23/781/1).—The land dealt with in this clause is situated in the Borough of Runanga and forms portion of the Seven Mile Road. This road is part of the Westport-Greymouth Main Highway. The full width of the legalized road is 3 chains (198 ft.) but portion only has been used for road purposes, the balance being chiefly in gorse and blackberry. Some years ago the Borough Council permitted four individuals to erect dwellings on portions of the unformed road. These dwellings are erected on corner sites, and do not interfere with the rights of adjoining owners who have alternative access. The owners of the dwellings have no title to the land on which their homes are erected and cannot be granted a title while the land retains its existing status of a road. Recently one of the dwelling owners disposed of his interest to a rehabilitated ex-serviceman, but the transaction is held up because the vendor is unable to give title. It is therefore most desirable that action should be taken to remedy the unsatisfactory position which exists at present. The clause accordingly



makes provision for the closing of portions of Seven Mile Road and for the areas concerned to be vested in the Crown so that leases under the Land Act can be issued to the interested parties. All of the sections fronting on to the portion of the Seven Mile Road in the vicinity of the area along which it is proposed to close the road are Crown land held on lease. The unformed portion of the road will be closed along a uniform width, but not so as to reduce the street to a less width than 150 links.

*Clause 27:* Cancelling the reservation over certain permanent State forest land in Nelson Land District, setting it apart as a reserve for water-supply purposes, and vesting it in the Corporation of the City of Nelson (L. and S. 13/108/68).—The land dealt with in this clause is permanent State forest reserve of 2,925 acres. Situated at an altitude of nearly 3,000 ft. it is mainly tussock country which has followed the burning of the beech forest. There appears little likelihood of the indigenous forest reclothing the area without adequate protection. The principal value of the area now is for a water catchment, and it is required for this purpose by the Nelson City Council. The City Council has a ranger and workmen on an adjacent block supervising water supply and consequently the area can be much more closely supervised by the Council than by the State Forest Service. The State Forest Service has agreed to the area being taken over by the City Council.

*Clause 28:* Authorizing the Timaru Borough Council to sell certain endowment land (file L. and S. 21/149/3269).—The area of 2,002 acres dealt with in this clause comprises endowment land vested in the Timaru Borough Council in 1877. About 1,000 acres of the area is situated at 1,100 ft. to 1,400 ft. and is practically all ploughable, but has been allowed to revert to heavy brown top. It was previously leased to an adjoining owner who would be prepared to consider purchasing it. Some 193 acres of the endowment is leased to an adjoining Crown lessee while the balance (809 acres) is gorse infested land of little grazing value and is suitable for afforestation. The Lands and Survey Department would consider purchasing the 193-acre area for the purpose of amalgamating with and making the Crown leasehold an economic unit. Owing to the nature of the area the Borough Council has had considerable difficulty in effectively managing and administering the endowment, and has applied for authority to sell the area and to invest the proceeds in other land for municipal purposes. This clause accordingly authorizes the sale of the endowment and provides for the investment of the proceeds of sale in other land for municipal purposes.

*Clause 29:* Authorizing the Dilworth Trust Board, Incorporated, to issue new leases to the Auckland Hockey Association, Incorporated, and to the Remuera Tennis Club, Incorporated, over certain trust lands and making special provision in respect of the use of portions of the said lands (file L. and S. 1/183).—In July, 1942, the Crown entered on for defence purposes certain lands vested in the Dilworth Trust Board, and erected thereon a number of buildings for use as the U.S. Navy Hospital. Two of the buildings erected were the nurses' home and recreation-hall, which were constructed at a cost of £26,252. The land on which these buildings are erected is leased by the Trust to the Remuera Tennis Club, Incorporated. On land leased by the Trust Board to the Auckland Hockey Association, Incorporated, are a number of buildings which are being used as temporary housing units. Arrangements have now been made between the Dilworth Trust Board, the Auckland Hockey Association, the Remuera Tennis Club, and the Crown whereby the buildings erected for Hospital purposes are to remain on the land leased to the tennis club until 1958 to provide accommodation as a nurses' home and nurses' training school for the Auckland Hospital Board. The hockey association has also agreed to the use of certain buildings on its land as temporary housing units, but these buildings are to be progressively removed. To give

legal effect to the arrangement the Trust Board requires statutory authority to overcome the memorial of judgment registered against its titles which restrains the use of the land other than for recreation purposes. The clause also provides for the cancellation of the existing leases and the grants of new leases to the tennis club and hockey association, and also empowers the granting of subleases from the club to the Crown, and, in turn, from the Crown to the Hospital Board.

*Clause 30:* Special provisions in respect of certain lands vested in the trustees of the late James Gammack (file L. and S. 13/90/14).—Under the will of the late James Gammack, the trustees are empowered to contribute £200 per annum towards scholarships in connection with the North Canterbury Education Board, and to pay the balance to the Canterbury College Governors for the purpose of the Public Library, Christchurch. The Estate, which was valued at between £30,000 and £40,000 in 1896, consists mainly of farm lands but there are a number of smaller areas which have been leased at low rentals and are a source of inconvenience to the trustees from an administrative point of view, apart from the fact that the returns received are very small. The will confers no power of sale on the trustees. The lessees of the five lots referred to in this clause are prepared to purchase, and the trustees would like to dispose of the areas so as to ease the burden and expense of administration. This clause, therefore, makes provision for the Governor-General to authorize the sale of the areas by Order in Council and for the investment of the proceeds for the benefit of the beneficiaries. In 1922 legislation along similar lines was enacted to enable the trustees to dispose of some other small areas.

*Clause 31:* Authorizing sale of certain land by Wellington Ladies' Christian Association (File L. and S. 13/108/99).—The land dealt with in this clause is the property in Britomart Street, Berhampore, known as the Levin Memorial Home, which has been run for many years by the Wellington Ladies' Christian Association Trustees as a home for young girls who are destitute or without parents or otherwise requiring a home. During the early days of the war the trustees decided to alter and renovate the Home, and for that purpose arranged accommodation for the children in other homes. However, before the work could be put in hand the property was, at the request of the Government, made available for the accommodation of evacuees from the Dutch East Indies. The use of the property for that purpose ceased some time ago, and the Wellington Returned Services Association now desires to take over the place as a War Veterans' Home. The trustees are willing to sell the property for that purpose, and the sale will assist in enabling them to carry out a wish of their Association that the Children's Home should be either in the suburbs or in the country: as it was when the Home was first built. Special legislation is necessary to enable the trustees to sell the property. The clause gives the necessary authority and provides that the proceeds must be used in the acquisition of another home for girls.

---

*Hon. Mr. Skinner*

## RESERVES AND OTHER LANDS DISPOSAL

### ANALYSIS

- | Title.   |   |
|--|---|
| 1. Short Title.  | 6. Cancelling the reservation over an area of primary-education endowment and adding it to the Egmont National Park.  |
| 2. Cancelling the reservation for scenic purposes over Section 1, Block IV, Otahuhu Survey District, and adding it to the Beachlands Domain.   | 7. Cancelling the vesting of certain lands in the Corporation of the County of Hutt, and vesting the said lands and certain other lands in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery. |
| 3. Cancelling the vesting of certain lands in the Corporation of the County of Whakatane for tree-planting purposes and declaring parts of the said lands to be a public domain and a public-hall site respectively. | 8. Authorizing the Gisborne Harbour Board to lease Section 14, Town of Gisborne.  |
| 4. Cancelling the reservation over an area of education-endowment land in the Otago Land District and declaring it to be Crown land set apart under the Small Farms Act, 1932-33.                                    | 9. Cancelling the vesting in the Corporation of the City of Auckland of portion of the Auckland Domain and declaring it to be vested in His Majesty the King as a reserve for hospital purposes.                              |
| 5. Cancelling the reservation over an area of primary-education endowment in the Township of South Mossburn, and constituting the said land as the Mossburn War Memorial Park Domain.                                | 10. Authorizing the Manukau County Council to keep one account covering both the East Tamaki Domain and the East Tamaki Recreation Reserve.   |

11. Cancelling the vesting of portion of a reserve for a public park, recreation ground, and botanical gardens in the Corporation of the City of Palmerston North, revoking the reservation, and vesting it in the Board of Governors of the Palmerston North High School.
12. Authorizing the Tolaga Bay Harbour Board to sell certain land and directing application of the proceeds of the sale thereof.
13. Declaring land set apart as an endowment for the Auckland Museum to be subject to Part I of the Housing Act, 1919.
14. Cancelling the reservation over certain education-endowment lands in the North Auckland, Auckland, Gisborne, Wellington, and Nelson Land Districts, and declaring them to be subject to Part I of the Housing Act, 1919.
15. Amending and extending the operation of section 25 of the Reserves and other Lands Disposal Act, 1941, and section 3 of the Reserves and other Lands Disposal Act, 1943 (extending term of certain leases, &c.).
16. Cancelling the reservation over an area of primary-education endowment land in the Borough of Taihape and reserving it for defence purposes.
17. Cancelling the reservation over a recreation reserve in the City of Christchurch and declaring it to be subject to Part I of the Housing Act, 1919.
18. Vesting a public reserve in the Town of Russell in His Majesty the King as an addition to the Kororareka Domain.
19. Cancelling the reservation over part of an endowment for primary education in the North Auckland Land District, and adding it to the Okaihau Domain.
20. Authorizing the Lower Hutt City Council to enter into certain leases.
21. Cancelling the reservation over and authorizing the sale of the Hukerenui Domain, together with certain land held by the Hukerenui Agricultural and Pastoral Association, Incorporated, and providing for the application of the proceeds for the acquisition of other land for recreation purposes and as a site for a memorial hall.
22. Empowering the Napier Harbour Board and the Napier Borough Council to enter into an agreement for the disposal of a public reserve vested in the Corporation of the Borough of Napier and provisions incidental thereto.
23. Cancelling the reservation over portion of the Millerton Domain and declaring it to be Crown land.
24. Section 21 of the Reserves and other Lands Disposal Act, 1941, amended.
25. Authorizing the Nelson Harbour Board to relinquish its claims to an accretion area in favour of the Nelson City Council.
26. Authorizing the closing of portions of a street in the Borough of Runanga and vesting the area in the Crown.
27. Cancelling the reservation over certain permanent State forest land in Nelson Land District, setting it apart as a reserve for water-supply purposes, and vesting it in the Corporation of the City of Nelson.
28. Authorizing the Timaru Borough Council to sell certain endowment land.
29. Authorizing the Dilworth Trust Board, Incorporated, to issue new leases to the Auckland Hockey Association, Incorporated, and to the Remuera Tennis Club, Incorporated, over certain trust lands, and making special provision in respect of the use of portions of the said lands.
30. Special provisions in respect of certain lands vested in the trustees of the late James Gammack.

A BILL INTITULED

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.

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

1. This Act may be cited as the Reserves and other Lands Disposal Act, 1947.

2. Whereas the land hereinafter described is a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908: And whereas the said land is of little scenic value and can be more efficiently administered as a public domain, and it is desirable that it should cease to be a scenic reserve: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the reservation for scenic purposes over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be a recreation reserve and to be set apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as an addition to the Beachlands Domain under and subject to the control of the Beachlands Domain Board.

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

All that area in the North Auckland Land District, containing by admeasurement fourteen acres, more or less, being Section 1, Block IV, Otahuhu Survey District, and known as Motukaraka Island, bounded on all sides by the Tamaki Strait: as the same is more particularly delineated on the plan marked L. and S. 170, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Title.

Short Title.

Cancelling the reservation for scenic purposes over Section 1, Block IV, Otahuhu Survey District, and adding it to the Beachlands Domain.

See Reprint of Statutes, Vol. VIII, p. 613

Ibid., Vol. VI, p. 1148

Cancelling the vesting of certain lands in the Corporation of the County of Whakatane for tree-planting purposes and declaring parts of the said lands to be a public domain and a public-hall site respectively.

See Reprint of Statutes, Vol. VI, p. 1148  
 Ibid., p. 1136

3. Whereas the lands firstly and secondly described in subsection *four* of this section are vested in the Corporation of the County of Whakatane for tree-planting purposes by virtue of an Order in Council dated the twenty-ninth day of June, nineteen hundred and twenty-five, and published in the *Gazette* of the ninth day of July of that year: And whereas it is desirable that the land firstly described should be constituted a public domain subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and that the land secondly described should be reserved for the purposes of a public-hall site subject to Part I of the Public Reserves, Domains, and National Parks Act, 1928: Be it therefore enacted as follows:—

(1) The vesting in the Corporation of the County of Whakatane of the lands firstly and secondly described in subsection *four* hereof is hereby revoked and the reservation for tree-planting purposes over the said lands is hereby cancelled.

(2) The land firstly described in subsection *four* hereof is hereby declared to be a recreation reserve and to be set apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as a public domain to be known as the Onepu Domain.

(3) The land secondly described in subsection *four* hereof is hereby reserved as and for the purposes of a site for a public hall under and subject to Part I of the Public Reserves, Domains, and National Parks Act, 1928.

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

Firstly, all that area situated in the Auckland Land District, County of Whakatane, containing by admeasurement eight acres one rood and twenty perches, more or less, being Section 17 (formerly part of Section 3), Block VI, Rangitaiki Upper Survey District:

Secondly, all that area situated as aforesaid, containing two roods and sixteen perches, more or less, being Section 16 (formerly part of the aforesaid

Section 3), Block VI, Rangitaiki Upper Survey District:

5 The said lands firstly and secondly described being more particularly delineated on the plan marked L. and S. 1/1131, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

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

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

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

30 All that area in the Otago Land District, containing by admeasurement two hundred acres and eighteen perches, more or less, being Sections 34 and 36, Block I, Rankleburn Survey District, and being all of the land comprised and described in certificate of title, Volume  
 35 180, folio 235, Otago Registry: as the same is more particularly delineated on the plan marked L. and S. 36/1620, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Canelling the reservation over an area of education-endowment land in the Otago Land District and declaring it to be Crown land set apart under the Small Farms Act, 1932-33  
 1932, No. 43

Cancelling the reservation over an area of primary-education endowment in the Township of South Mossburn, and constituting the said land as the Mossburn War Memorial Park Domain.

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

5. Whereas the land described in subsection *three* of this section is reserved as an endowment for primary-education purposes: And whereas it is desirable that the said land should be constituted a public domain: Be it therefore enacted as follows:—

5

(1) The reservation as an endowment for primary-education purposes over the land described in subsection *three* of this section is hereby cancelled, and the said land is hereby declared to be reserved for recreation purposes, and to be set apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as the Mossburn War Memorial Park Domain.

10

(2) Notwithstanding any provision to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the Minister of Lands may authorize the erection of buildings to be used for the purposes of a community centre on the land referred to in the said subsection *three* hereof.

15

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

20

All that area in the Southland Land District, containing by admeasurement five acres two roods and two perches, more or less, being Lots 1 to 10 inclusive, Block II, Township of South Mossburn (Deposited Plan Number 192), being part of Section 102, Block I, Taringatura Survey District, and being part of the land comprised and described in certificate of title, Volume 112, folio 196, Southland Registry: as the same is more particularly delineated on the plan marked L. and S. 1/1178, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

25

30

6. Whereas the land described in subsection *two* of this section is reserved as an endowment for primary-education: And whereas the said land is in close proximity to other areas which form part of the Egmont National Park constituted by the Egmont National Park Act, 1924: And whereas it is desirable that the said land should be added to the said park: Be it therefore enacted as follows:—

35

40

Cancelling the reservation over an area of primary-education endowment and adding it to the Egmont National Park. 1924, No. 60

(1) The reservation for primary-education endowment purposes over the land described in subsection *two* of this section is hereby cancelled and the said



land is hereby declared to form part of the Egmont National Park and to be subject to the provisions of the Egmont National Park Act, 1924.

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

All that area situated in the Taranaki Land District, containing by admeasurement two hundred and eleven acres one rood and twenty perches, more or less, being part of Section 3, Block XV, Cape Survey District, and being part of the land comprised and described in certificate of title, Volume 75, folio 26, Taranaki Registry: as the same is more particularly delineated on the plan marked L. and S. 4/897, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

7. Whereas the pieces of land firstly and secondly described in subsection *three* of this section are vested for an estate in fee-simple in the Corporation of the County of Hutt for the purposes of a cemetery: And whereas the land thirdly described in subsection *three* of this section has been, for some time past, used for the purpose of a cemetery in conjunction with the land firstly and secondly described in the said subsection *three*: And whereas all the said pieces of land have hitherto been under the control and management of the Hutt County Council: And whereas it is desirable that the said pieces of land, and the control and management of the cemetery, should be vested in the Corporation of the City of Lower Hutt, but the Hutt County Council has no authority in law to transfer to the Corporation such of the land as is vested in it: And whereas it is expedient that the land thirdly described in the said subsection *three* should be vested, together with the land firstly and secondly described in the said subsection, for an estate in fee-simple in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery: Be it therefore enacted as follows:—

(1) The vesting of the lands firstly and secondly described in subsection *three* of this section in the Chairman, Councillors, and Inhabitants of the County

Cancelling the vesting of certain lands in the Corporation of the County of Hutt, and vesting the said lands and certain other lands in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery.

of Hutt, for an estate in fee-simple, for the purposes of a cemetery, is hereby cancelled, and the said lands, together with the land thirdly described in the said subsection *three* are hereby vested in the Corporation of the City of Lower Hutt for an estate in fee-simple for a like purpose. 5

(2) The District Land Registrar and the Registrar of Deeds for the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register-books, to deposit such plans, to issue such certificates of title or other documents, and generally to do all such things as are necessary to give effect to the provisions of this section. 10

(3) The lands to which this section relates are more particularly described as follows:— 15

Firstly, all that piece of land situated in Block X, Belmont Survey District, in the City of Lower Hutt, containing by admeasurement one hundred and forty-one acres one rood and twenty-five perches, more or less, being part of Section 45 and part of Section 44, Hutt District, part of the said Section 44 being also part of Lot 16 on a plan deposited in the Land Registry Office at Wellington under Number 1680, the said land being the residue of the land comprised and described in certificate of title, Volume 322, folio 236, Wellington Registry. 20 25

Secondly, all that piece of land situated as aforesaid, containing two roods thirteen perches, and three-tenths of a perch, more or less, being part of Section 44, Hutt District, being all of the land edged green on a plan deposited in the Land Registry Office at Wellington under Number 9145, and being the whole of the land comprised and described in certificate of title, Volume 397, folio 76, Wellington Registry, the said land being subject to an agreement as to fencing contained in Transfer 94847. 30 35

Thirdly, all those parcels of land containing together thirteen acres two roods twelve perches and nine-tenths of a perch, more or less, being part of Section 44, Hutt District, and being the lands more particularly described in Conveyance Number 1775 bearing date the thirteenth day of August, eighteen hundred and fifty-nine, and in Conveyance Number 40

55383 bearing date the nineteenth day of April, eighteen hundred and eighty-eight, the said lands being the whole of those more particularly delineated on the plan numbered S.O. 12826, lodged in the office of the Chief

5 Surveyor at Wellington:

As the same are more particularly delineated on the plan marked L. and S. 2/38, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged yellow, blue, and green, respectively.

10 **8.** Notwithstanding the provisions of section thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1916, or of any other Act, the Gisborne Harbour Board (in this section referred to as the Board) is hereby empowered to lease, in accordance with the provisions of the Public Bodies' Leases Act, 1908, the land situated in the Gisborne Land District, containing by admeasurement thirty-seven perches, more or less, being Section 14, Town of Gisborne, which said land is vested in the Board for the purposes of a pilot-station and for harbour-improvement purposes.

Authorizing the Gisborne Harbour Board to lease Section 14, Town of Gisborne. 1916, No. 14 See Reprint of Statutes, Vol. IV, p. 1031

25 **9.** Whereas the land described in subsection *three* of this section is vested in the Corporation of the City of Auckland pursuant to the provisions of the Auckland Domain Vesting Act, 1893, as a place of public recreation and enjoyment: And whereas the said land adjoins the site of the Auckland Public Hospital, and, for the more convenient administration of that institution, there has been erected on the said land by the Crown buildings used by the Auckland Hospital Board for general hospital purposes: And whereas it is essential that these buildings be retained on their existing site, and the Auckland City Council (in this section referred to as the Council) is agreeable to the land being so used on condition that the Crown provides other suitable recreation areas in the City of Auckland: And whereas areas have been so provided to the satisfaction of the Council: Be it therefore enacted as follows:—

Cancelling the vesting in the Corporation of the City of Auckland of portion of the Auckland Domain and declaring it to be vested in His Majesty the King as a reserve for hospital purposes. 1893 (Local) No. 25

40 (1) The vesting in the Corporation of the City of Auckland pursuant to the Auckland Domain Vesting Act, 1893, of the land described in subsection *three* of this section is hereby cancelled and the said land is hereby declared to be vested in His Majesty the King as a reserve for hospital purposes.

(2) The District Land Registrar of the Land Registration District of Auckland 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 North Auckland Land District, in the County of Eden, and situated in Block VIII, Rangitoto Survey District, being part of the Auckland Domain, containing by admeasurement four acres thirty-six perches and nine-tenths of a perch, more or less, bounded, commencing at a point, being the easternmost corner of the portion of the Auckland Domain, shown on a plan deposited in the office of the District Land Registrar at Auckland under Number 19809, and proceeding north-westerly along the north-eastern boundary of the land shown on the said deposited plan 19809 for a distance of 588·78 links bearing  $295^{\circ} 51'$ ; thence in a northerly, easterly, south-easterly, and westerly direction generally by lines bearing  $22^{\circ} 21' 30''$ , distance 411·77 links; bearing  $39^{\circ} 03'$ , distance 50·47 links; bearing  $73^{\circ} 32'$ , distance 50·10 links; bearing  $91^{\circ} 34'$ , distance 225·81 links; bearing  $98^{\circ} 52'$ , distance 97·03 links; bearing  $112^{\circ} 52'$ , distance 102·56 links; bearing  $148^{\circ} 34' 30''$ , distance 75·31 links, bearing  $152^{\circ} 43'$ , distance 164·17 links; bearing  $156^{\circ} 29' 20''$ , distance 263·93 links; bearing  $180^{\circ} 13' 40''$ , distance 141·31 links; bearing  $263^{\circ} 56'$ , distance 343·94 links, to the point of commencement: as the same is more particularly delineated on the plan marked L. and S. 1/550A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 15 20 25 30

Authorizing the Manukau County Council to keep one account covering both the East Tamaki Domain and the East Tamaki Recreation Reserve.

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

**10.** Whereas the land firstly described in subsection *three* of this section, known as the East Tamaki Domain, is subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and is under the control of the Manukau County Council (in this section referred to as the Council), acting as the East Tamaki Domain Board: And whereas the land secondly described in subsection *three* of this section is vested in the Council as and for the purpose of a recreation reserve subject to Part I of the 35 40

Public Reserves, Domains, and National Parks Act, 1928: And whereas in accordance with the provisions of that Act, an account is kept by the Council in its capacity as the East Tamaki Domain Board, in connection with the administration of the area firstly described  
5 separate from the account kept by the Council in connection with the area secondly described: And whereas the said lands adjoin and are administered by the Council as one complete area, and it is desirable  
10 in the circumstances that only one set of accounts should be kept in respect of the said lands: Be it therefore enacted as follows:—

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

(1) Notwithstanding anything to the contrary in section sixty-two of the Public Reserves, Domains, and  
15 National Parks Act, 1928, the Council is hereby authorized to keep an account, to be known as the East Tamaki Recreation Reserve Account, for the purpose of recording receipts and expenditure in respect of both  
20 areas described in subsection *three* hereof and to apply the moneys from time to time in the account for the benefit of either or both of the said areas, and also to apply and account for any moneys which may be lawfully borrowed by the Council for any purpose in  
25 connection with either or both areas in the same manner.

Ibid., p. 1157

(2) So long as the Council continues to keep the said account it shall not be necessary for it to comply with the provisions and requirements of section sixty-two of the Public Reserves, Domains, and National  
30 Parks Act, 1928.

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

Firstly, all that area in the North Auckland Land District, Manukau County, situated in Block VII,  
35 Otahuhu Survey District, and containing by admeasurement five acres two roods, more or less, being Lot 11 and part of Lot 10 on a plan deposited in the Land Registry Office at Auckland under Number 9824, being  
40 part of Allotment 51, Pakuranga Parish, and being the whole of the land comprised and described in certificate of title, Volume 411, folio 275, Auckland Registry:

Secondly, all that area in the North Auckland Land District, containing by admeasurement five acres two roods twenty-eight perches and eight-tenths of a perch, more or less, being parts of Lots 9 and 10 on a plan deposited in the Land Registry Office at Auckland 5 under Number 9824, being part of Allotment 51, Pakuranga Parish, and being the residue of the land comprised and described in certificate of title, Volume 317, folio 248, Auckland Registry.

As the lands firstly and secondly described are more particularly delineated on the plan marked L. and S. 10 1/216A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red and blue respectively.

11. Whereas the land described in subsection *four* 15 of this section is, pursuant to the provisions of section four of the Wellington Reserves Act, 1876, Amendment Act, 1877, vested in the Corporation of the City of Palmerston North (in this section referred to as the Corporation) as a public park and recreation ground 20 and botanical gardens: And whereas the said land was leased to the Board of Governors of the Palmerston North High School (in this section referred to as the Board), for a term of twenty-one years from the first day of October, nineteen hundred and twenty-six, and 25 the Board desires to acquire the said land for a site for a hostel and for the erection of additional school buildings: And whereas the Palmerston North City Council has no power to dispose of the said land, and it is desirable that it should be vested in the Board: 30 Be it therefore enacted as follows:—

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

(1) The vesting of the land described in subsection *four* of this section in the Corporation is hereby cancelled, and the reservation as a public park and recreation ground and botanical gardens is hereby 35 revoked.

(2) The said land is hereby vested in the Board as a site for a hostel and for the erection of additional school buildings.

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

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

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

12. Whereas the land described in subsection *three* of this section is vested in the Tolaga Bay Harbour Board (in this section referred to as the Board) for harbour purposes: And whereas the said land is no longer required by the Board, and it is desirable that the Board should be empowered to sell it and to pay the proceeds of the sale into the sinking fund in connection with the Tolaga Bay Harbour Board Conversion Loan, 1934: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the Board is hereby empowered to sell the land described in subsection *three* of this section, freed and discharged from the trusts, reservations, and restrictions affecting the same.

Authorizing the Tolaga Bay Harbour Board to sell certain land and directing application of the proceeds of the sale thereof.

(2) The moneys received by the Board from the sale of the said land shall be paid into and form part of the sinking fund in connection with the Tolaga Bay Harbour Board Conversion Loan, 1934.

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

All that parcel of land, containing by admeasurement one acre, more or less, being Section 2, Block V, Township of Tolaga Bay, and being the whole of the land comprised and described in certificate of title, Volume 27, folio 269, Gisborne Registry.

Declaring  
land set  
apart as an  
endowment  
for the  
Auckland  
Museum to be  
subject to  
Part I of the  
Housing Act,  
1919.  
1882 (Local),  
No. 5  
See Reprint  
of Statutes,  
Vol. III,  
p. 798

**13.** Whereas the land described in subsection *three* of this section is set apart as an endowment for the Auckland Museum, pursuant to the provisions of section two of the Auckland Museum Endowment Act, 1882: And whereas it is desirable that the said land should now be 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 the Auckland Museum over the land described in subsection *three* 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.

(2) The sum of one hundred and twenty pounds, being the agreed value of the lands referred to in the *next succeeding* subsection, shall be paid from the appropriate account to the Receiver of Land Revenue at Gisborne and shall be disbursed in the manner set out in the Auckland Museum Endowment Act, 1882.

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

All that area in the Gisborne Land District, containing by admeasurement one acre, more or less, being Sections 17, 18, 19, and 20, Block XIII, Tolaga Bay Township, situated in Block XII, Uawa Survey District: as the same is more particularly delineated on the plan marked L. and S. 22/2499, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.



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

- 10 (1) The reservation as endowments for primary education over the lands described in subsection *two* of this section and the reservation as an endowment for secondary education over the lands described in subsection *three* of this section are hereby cancelled, and  
 15 the said lands are hereby set apart for housing purposes, subject to the provisions of Part I of the Housing Act, 1919.

Cancelling the reservation over certain education-endowment lands in the North Auckland, Auckland, Gishorne, Wellington, and Nelson Land Districts, and declaring them to be subject to Part I of the Housing Act, 1919.

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

(2) The lands reserved as endowments for primary education are particularly described as follows:—

- 20 Firstly, all that area in the North Auckland Land District, City of Auckland, containing by admeasurement three roods nineteen perches and eight-tenths of a perch, more or less, being Lots 1, 2, 3, and 4 on a plan deposited in the Land Registry Office at Auckland  
 25 under Number 18359, being a subdivision of Allotments 55 and 56 of Section 2 of Whau Township North, and being part of the land comprised and described in certificate of title, Volume 5, folio 39, Auckland Registry, as the same is more particularly delineated on the  
 30 plan marked L. and S. 30/228/1c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow and yellow edged yellow.

- 35 Secondly, all that area in the Auckland Land District, situated in the Borough of Rotorua, and containing by admeasurement one rood, more or less, being Section 28, Block LXVII, Town of Rotorua, as the same is more particularly delineated on the plan

marked L. and S. 30/228/28c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Thirdly, all that area in the Gisborne Land District, Block XII, Uawa Survey District, containing by admeasurement one acre and one rood, more or less, being Sections 1, 2, 3, 4, and 5, Block VIII, Tolaga Bay Township, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 57, Gisborne Registry. 5 10

Fourthly, all that area in the Wellington Land District, in the Borough of Raetihi, containing by admeasurement one rood, more or less, being Section 164, Town of Raetihi, and being the whole of the land comprised and described in certificate of title, Volume 15 91, folio 246, Wellington Registry.

Fifthly, all that area in the Nelson Land District, Inangahua County, containing by admeasurement one rood eight perches and four-tenths of a perch, more or less, being Sections 748, 749, 750, and 751, Town of Reefton, and being part of the land comprised and described in certificate of title, Volume 37, folio 183, Nelson Registry, as the same is more particularly delineated on the plan marked L. and S. 20/990, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 25

(3) The lands reserved as an endowment for secondary education are particularly described as follows:—

All that area in the Nelson Land District, Inangahua County, containing by admeasurement one rood thirty-three perches and eight-tenths of a perch, more or less, being Sections 712, 713, 714, 715, 716, and 717, Town of Reefton, and being parts of the lands comprised and described in certificates of title, Volume 42, folios 78 and 79, Nelson Registry: as the same are more particularly delineated on the plan marked L. and S. 20/195, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 30 35

15. (1) Section twenty-five of the Reserves and other Lands Disposal Act, 1941, as amended by section three of the Reserves and other Lands Disposal Act, 1943, is hereby further amended as follows:—

Amending and extending the operation of section 25 of the Reserves and other Lands Disposal Act, 1941, and section 3 of the Reserves and other Lands Disposal Act, 1943 (extending term of certain leases, &c.) 1941, No. 21 1943, No. 14

5 (a) By omitting from subsection three the words "seven years", and substituting the words "nine years";

10 (b) By omitting from subsection four the words "seven years", and substituting the words "nine years".

(2) Section three of the Reserves and other Lands Disposal Act, 1943, is hereby amended as follows:—

15 (a) By omitting from subsection two the words "two years" and substituting the words "four years";

(b) By omitting from the proviso to subsection three the words "two years later" and substituting the words "four years later".

20 (3) The term of each lease to which section twenty-five of the Reserves and other Lands Disposal Act, 1941, applies, and which, but for the passing of that section and this section, would expire by effluxion of time after the first day of January, nineteen hundred and forty-nine, and on or before the first day of  
25 January, nineteen hundred and fifty-one, is hereby extended for a period of four years from the date of the expiry thereof subject to the same covenants, conditions, and restrictions as are contained and implied  
30 shall continue to be subject to all encumbrances, liens, and interests to which it is subject on the date of the expiry of the lease.

35 (4) The provisions of subsections four to nine of the said section twenty-five shall, so far as applicable and with the necessary modifications, apply in the case of any lease the term whereof is extended by the last preceding subsection:

40 Provided that in the application of subsection four of the said section twenty-five (as amended by this section) to any lease the term whereof is extended by the last preceding subsection, the said subsection four

shall be read and construed as if the words " nine years later " were omitted therefrom, and the words " four years later " were substituted.

Cancelling the reservation over an area of primary-education endowment land in the Borough of Taihape and reserving it for defence purposes.

16. 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 vested in His Majesty the King as a reserve for defence purposes: Be it therefore enacted as follows:—

(1) The reservation as an endowment for primary education over the land described in subsection *two* hereof is hereby cancelled, and the said land is hereby vested in His Majesty the King as a reserve for defence purposes.

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

All that area in the Wellington Land District, containing by admeasurement one rood, more or less, being section 7, Block VI, Township of Taihape, and being the whole of the land comprised and described in certificate of title, Volume 105, folio 247, Wellington Registry.

Cancelling the reservation over a recreation reserve in the City of Christchurch and declaring it to be subject to Part I of the Housing Act, 1919.

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

17. Whereas the land described in subsection *two* of this section is a recreation reserve vested in His Majesty the King, but has never been used for recreation purposes, and is not required for those purposes: 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 for recreation purposes 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.

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

All that area in the Canterbury Land District, containing by admeasurement one acre three roods and six-tenths of a perch, more or less, being Reserve 4419

(formerly Lot 1, on a plan deposited in the Land Registry Office at Christchurch under Number 11689) and situated in Block XI, Christchurch Survey District.

18. Whereas the land described in subsection *two* of this section is vested in the Russell Town Board as a public reserve pursuant to the provisions of the Public Reserves, Domains, and National Parks Act, 1928: And whereas it is desirable that the land should be vested in His Majesty the King and that it should be also brought under the provisions of Part II of the aforesaid Act as an addition to the Kororareka Domain, and that the control of the said land should be vested in the Kororareka Domain Board: Be it therefore enacted as follows:—

Vesting a public reserve in the Town of Russell in His Majesty the King as an addition to the Kororareka Domain.  
See Reprint of Statutes, Vol. VI, p. 1134

15 (1) The vesting of the said land in the Russell Town Board is hereby cancelled and the land is hereby declared to be vested in His Majesty the King for recreation purposes, to be subject to the provisions of Part II of the Public Reserves, Domains, and National  
20 Parks Act, 1928, and to form part of the Kororareka Domain under the control of the Kororareka Domain Board.

Ibid., p. 1148

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

25 All that area in the North Auckland Land District, situated in the Russell Town District, containing by admeasurement one rood seventeen perches and eighty-eight one-hundredths of a perch, more or less, being Lots 5 and 6 on a plan deposited in the Land Registry  
30 Office at Auckland under Number 7147, being part of Allotment 2 of Section 6, Town of Russell, and being the whole of the land comprised and described in certificate of title, Volume 318, folio 66, Auckland Registry, as the same is more particularly delineated  
35 on the plan marked L. and S. 1/327b, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Cancelling the reservation over part of an endowment for primary education in the North Auckland Land District, and adding it to the Okaihau Domain.

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

19. Whereas the land described in subsection *two* of this section forms portion of a reserve for an endowment for primary education: And whereas it is desirable that such reservation should be cancelled and that the said land should be reserved for recreation 5 purposes and brought under the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, as an addition to the Okaihau Domain: Be it therefore enacted as follows:—

(1) The reservation as an endowment for primary 10 education over the said land is hereby cancelled, and the said land 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 portion of the Okaihau 15 Domain.

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

All that area in the North Auckland Land District, Bay of Islands County, situated in Blocks X and VI, 20 Omapere Survey District, containing by admeasurement seven acres fourteen perches and four-tenths of a perch, more or less, being Lot 2 on a plan numbered 33808, deposited in the Land Registry Office at Auckland, being part of Allotment 22, Okaihau Parish, and being 25 part of the land comprised and described in certificate of title, Volume 6, folio 163, Auckland Registry, as the same is more particularly delineated on the plan marked L. and S. 48037A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, 30 and thereon edged red.

Authorizing the Lower Hutt City Council to enter into certain leases.

20. Whereas the Corporation of the City of Lower Hutt (in this section referred to as the Corporation) is seized of an estate in fee-simple for the use and enjoy- 35 ment of the public as a pleasure ground in the lands firstly and secondly described in subsection *four* of this section: And whereas the Lower Hutt City Council (in this section referred to as the Council) on behalf of the Corporation has resolved to grant a lease of the land 40 firstly described in the said subsection *four* to Hutt Valley Lawn Tennis Association, Incorporated (in this section referred to as the Association): And whereas the Council has further resolved to grant a lease of the

piece of land secondly described in the said subsection *four* to Naenae Bowling and Croquet Club, Incorporated (in this section referred to as the Club): And whereas the Council lacks authority to lease the said  
5 lands under suitable terms and conditions to the parties aforesaid, and it is desirable that power to grant the aforesaid leases should be conferred upon it: Be it therefore enacted as follows:—

(1) The Council is hereby empowered to grant a  
10 lease of the land firstly described in subsection *four* of this section to the Association for a term of twenty-five years upon and subject to the terms and conditions set out in a certain Memorandum of Lease, bearing date the twenty-eighth day of July, nineteen hundred and  
15 forty-seven, a copy whereof is deposited in the Head Office of the Department of Lands and Survey, at Wellington, under Wellington Deed Number 1618, and the said Memorandum of Lease is hereby validated and shall be deemed to have been lawfully given.

(2) The Council is hereby further empowered to  
20 grant a lease of the land secondly described in subsection *four* of this section to the Club for a term of twenty-one years upon and subject to the terms and conditions set out in a certain Memorandum of Lease  
25 bearing date the seventh day of February, nineteen hundred and forty-seven, a copy whereof is deposited in the Head Office of the Department of Lands and Survey, at Wellington, under Wellington Deed Number 1619, and the said Memorandum of Lease is hereby  
30 validated and shall be deemed to have been lawfully given.

(3) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and directed to receive such documents for registration, to  
35 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.

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

40 Firstly, all that piece or parcel of land situated in the City of Lower Hutt, and containing two acres two roods three perches and sixty-five hundredths of a perch, more or less, being part of Sections 35 and 38,

Hutt District, and being also Lot 2 on a plan deposited in the Land Registry Office at Wellington under Number 13438, and being part of the land comprised and described in certificate of title, Volume 438, folio 192, Wellington Registry.

Secondly, all that piece or parcel of land situated as aforesaid, and containing one acre three roods fourteen perches and thirty-six hundredths of a perch, more or less, being part of Section 35, Hutt District, and being also Lot 1 on a plan deposited in the Land Registry Office at Wellington under Number 13438, and being part of the land comprised and described in certificate of title, Volume 438, folio 192, Wellington Registry.

Cancelling the reservation over and authorizing the sale of the Hukerenui Domain, together with certain land held by the Hukerenui Agricultural and Pastoral Association, Incorporated, and providing for the application of the proceeds for the acquisition of other land for recreation purposes and as a site for a memorial hall.  
 See Reprint of Statutes, Vol. VI, p. 1148  
 Ibid., p. 1134

**21.** Whereas the land firstly described in subsection *four* of this section is a recreation reserve subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and is known as the Hukerenui Domain: And whereas the land secondly described in the said subsection is held by the Hukerenui Agricultural and Pastoral Association, Incorporated, formerly known as the Hikurangi and Otonga Ridings Farmers' Agricultural, Pastoral, and Industrial Association: And whereas the said lands are unsuitable for the purposes for which they are held: And whereas it is desirable that the said lands should be sold and that authority should be given to apply the proceeds from sale towards the purchase and improvement of land more suitable for recreation purposes and as a site for a memorial hall: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the reservation for the purpose of a public domain over the land firstly described in subsection *four* of this section is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal by private treaty or otherwise on such terms and conditions as the Minister of Lands may determine.



(2) The provisions of subsection two of section forty-one of the Public Reserves, Domains, and National Parks Act, 1928, are hereby declared to apply to the proceeds from the sale of the land referred to in the *last preceding* subsection.

See Reprint  
of Statutes,  
Vol. VI, p. 1150

(3) Notwithstanding anything to the contrary in the Agricultural and Pastoral Societies Act, 1908, the Hukerenui Agricultural and Pastoral Association, Incorporated, may sell by private treaty or otherwise the land secondly described in subsection *four* of this section, and the Association is hereby authorized to apply the proceeds from the sale towards the purchase and improvement of other land, part of which shall be conveyed to His Majesty the King as a site for a memorial hall subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928, and the balance conveyed to His Majesty the King as a recreation reserve subject to the provisions of Part II of that Act.

*Ibid.*, Vol. I,  
p. 47

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

Firstly, all that area in the Bay of Islands County, North Auckland Land District, containing by admeasurement twenty-four acres, more or less, being Sections 51 and 53 of Block VI, Hukerenui Survey District: as the same is more particularly delineated on the plan marked L. and S. 1/296A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Secondly, all that area in the Whangarei County, North Auckland Land District, containing by admeasurement a total of seventy-four acres one rood fifteen perches and twenty-three one-hundredths of a perch, more or less, being part of Section 44, Block X, Hukerenui Survey District, being the residue of the land comprised and described in certificate of title, Volume 253, folio 185, Auckland Land Registry; and Sections 59 and 60, Block X, Hukerenui Survey District, being the whole of the lands comprised and described in certificate of title, Volume 445, folio 109, Auckland Land Registry: as the same is more particularly delineated on the plan marked L. and S. 1/296B, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

Empowering  
the Napier  
Harbour  
Board and the  
Napier  
Borough  
Council to  
enter into an  
agreement for  
the disposal of  
a public reserve  
vested in the  
Corporation of  
the Borough of  
Napier and  
provisions  
incidental  
thereto.  
1933 (Local),  
No. 8

**22.** Whereas by paragraph (b) of subsection two of section four of the Napier Harbour Board and Napier Borough Enabling Act, 1933, it is provided that the Napier Harbour Board (in this section referred to as the Board) should transfer to the Corporation of the Borough of Napier (in this section referred to as the Corporation) such portions of the land described in the First, Second, and Third Schedules to the said Act as the Board and the Napier Borough Council should agree upon for parks and reserves: And whereas, pursuant to an agreement made between the said Board and the Council pursuant to the provisions of the said Act, the Board transferred to the Corporation for the purpose of a public park the land hereinafter described: And whereas it is considered that other provisions made for parks and reserves are adequate and that the whole of the said piece of land is not and will not be required for the purpose aforesaid: And whereas it is desirable that so much of the said piece of land as is not required for the purpose aforesaid should be subdivided into building allotments and that up to but not exceeding one-half of those building allotments should be transferred by the Corporation to the Board: Be it therefore enacted as follows:—

1933, No. 30

(1) Notwithstanding anything in the Municipal Corporations Act, 1933, or in any other Act, the Board and the Napier Borough Council are hereby authorized to enter into and carry out an agreement whereby part of the land described in subsection *four* of this section is to be retained by the Corporation for the purpose for which the land is now held, and whereby the balance of the said land is to be subdivided by the Council into building allotments of which allotments up to but not exceeding one-half shall be transferred by the Corporation to the Board.

(2) The building allotments retained by the Corporation and the building allotments transferred by the Corporation to the Board shall be held by the Corporation and the Board respectively as their own absolute property freed from any trust, condition, or restriction now affecting the same or the proceeds of the sale thereof.

(3) With respect to the building allotments retained by the Corporation, the Napier Borough Council shall have power, subject to compliance with the provisions of sections one hundred and fifty-eight and one hundred and fifty-nine of the Municipal Corporations Act, 1933, to lease the whole or any part or parts thereof, and, without complying with the provisions of section one hundred and fifty-six of the said Act, to confer on any lessee or lessees the option of purchasing the fee-simple of the land comprised in the lease to him, either forthwith or at the expiration of such period as the said Council shall think fit, and otherwise upon and subject to such terms and conditions as the said Council shall think fit.

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

All that area of land situate in the Borough of Napier, in the Hawke's Bay Land District, containing two acres one perch and six-tenths of a perch, more or less, being Lot 209 on Deposited Plan Number 6598, which said parcel of land is part of Te Whare-o-Marae-nui Block, and part of the land in certificate of title, Volume 106, folio 147 (Hawke's Bay Registry).

**23.** Whereas the land described in subsection *two* hereof is a recreation reserve subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and comprises part of an area known as the Millerton Domain: And whereas the said land is unsuitable for domain purposes: And whereas portions of the said land have been used for residential purposes: And whereas it is desirable that the said land should now be excluded from the Domain and declared Crown land subject to the provisions of the Land Act, 1924. Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the reservation for the purposes of a public domain over the lands described in subsection *two* hereof (being portion of the Millerton Domain) is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act, 1924.

Cancelling the reservation over portion of the Millerton Domain and declaring it to be Crown land. See Reprint of Statutes, Vol. VI, p. 1148

Ibid., Vol. IV, p. 622

Ibid., Vol. VI, p. 1134

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

All that area in the Nelson Land District, Buller County, containing by admeasurement four acres two roods fourteen perches, more or less, being Part Sections 142 and 163 and Sections 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, and 279, Town of Millerton, bounded generally as follows: commencing at a point being the intersection of Rodney and Seymour Streets, thence on the south-west by Seymour Street, on the north-west by other parts of Sections 142 and 263, Recreation Reserve (Millerton Domain), on the north-east by a Westport Coal Company's mining privilege, and on the south-east by Rodney Street, to the point of commencement, excepting thereout the formed and used road one hundred links in width: as the same is more particularly delineated on plan marked L. and S. 1/35A, deposited in the Head Office of the Lands and Survey Department at Wellington, and thereon bordered red (Nelson S.O. Plan 9517). 5 10 15 20

Section 21 of  
the Reserves  
and other  
Lands Disposal  
Act, 1941,  
amended.  
1941, No. 21

**24.** Whereas section twenty-one of the Reserves and other Lands Disposal Act, 1941, authorizes the use of portion of the Rotorua Domain and certain stopped streets in the Borough of Rotorua as a site for a hospital for convalescent soldiers, and also makes provision for the granting of a lease by the Rotorua Borough Council over the said stopped streets in favour of the Crown for such purposes and for such period as are set out in the said section: And whereas the lease so authorized has been duly entered into by the parties thereto, but it is now expedient that its terms be varied and that the uses to which the said part of the Rotorua Domain and the said stopped streets may be put should be varied in the manner hereinafter set forth: And whereas the parties to the said lease are agreeable to its being varied: Be it therefore enacted as follows:— 25 30 35

(1) Notwithstanding anything to the contrary in section twenty-one of the Reserves and other Lands Disposal Act, 1941, the period for which the portion 40

of the Rotorua Domain and the stopped streets described in the said section may be used for the purposes set out therein, shall be ten years from the fifteenth day of August, nineteen hundred and forty-five, and during that period the said lands may be used as a site for a hospital for convalescent soldiers and for persons suffering from rheumatism or other crippling diseases or disabilities.

(2) The lease authorized by subsection two of the said section is hereby varied to the extent that the term thereof shall be ten years from the fifteenth day of August, nineteen hundred and forty-five, and the purpose for which the leased lands may be used shall be as a site for a hospital for convalescent soldiers and for persons suffering from rheumatism and other crippling diseases or disabilities and for purposes incidental thereto.

25. Whereas by deed of conveyance dated the twenty-seventh day of January, nineteen hundred and nine, and registered in the office of the Registrar of Deeds at Nelson under Number 35647, certain land was conveyed by James Burns Green, Arthur Ernest Green, George Green, and Percy Bollard Adams, to the Mayor, Councillors, and Citizens of the City of Nelson (in this section referred to as the Council): And whereas the said deed of conveyance also purported to convey to the Council all the estate, right, title, interest, claim, and demand of the said vendors in other land comprising accretions from recessions of the sea: And whereas by deed poll dated the seventh day of January, nineteen hundred and ten, and registered under Number 36433, the Council declared that it held the said lands in trust for and to be used as pleasure grounds or for any other purpose of enjoyment or recreation: And whereas since the execution of the said deed of conveyance the sea has further receded to the line shown on the plan deposited in the Public Works Department at Wellington under Number P.W.D. 124315: And whereas the accretion area now comprises the land described in subsection *three* of this section: And whereas there is doubt as to whether or not the said accretion area is

Authorizing  
the Nelson  
Harbour  
Board to  
relinquish its  
claims to an  
accretion area  
in favour of  
the Nelson  
City Council.

1905 (Local),  
No. 38

vested in the Nelson Harbour Board (in this section referred to as the Board) pursuant to section four of the Nelson Harbour Act, 1905: And whereas the Board is prepared to relinquish all claims and title to the said accretion area in favour of the Council so that the land may be developed for recreation purposes: Be it therefore enacted as follows:— 5

(1) Notwithstanding anything to the contrary in section four of the Nelson Harbour Act, 1905, or in any other Act, the Board is hereby empowered to relinquish all rights and title to the land described in subsection *three* of this section and to acknowledge the right and title of the Council to the said land: 10

Provided that nothing herein contained shall prejudice or affect the claims of either the Board or the Council in respect of further accretions to the said land. 15

(2) The District Land Registrar for the Land District of Nelson is hereby empowered and directed, on deposit with him of a plan of the land described in subsection *three* of this section, to issue a certificate of title in favour of the Council in respect of the said land, and the Council shall hold the said land in trust for recreation purposes. 20

(3) The accretion area to which subsections *one* and *two* of this section relate is described as follows:— 25

All that area in the Nelson Land District, situated partly in the Tahunanui Town District and partly in the Waimea County, containing by estimation two hundred and twenty acres, more or less, and being partly accretion and partly tidal flats, now designated Section 99, District of Suburban South and bounded generally as follows: towards the north and north-west generally by the mean high-water mark of Tasman Bay, extending from Rocks Road to the most south-westerly point of Section 99 aforesaid; towards the south-west by a right line across tidal lands from the last mentioned point to the most westerly point of the land held by the Nelson City Council under Conveyance Number 35647 (Nelson Registry); towards the south and south-east generally by the aforesaid Nelson City Council land, by the abuttal of a public road, again by the aforesaid Nelson City Council land, by the abuttal of another public road, and again by the aforesaid Nelson City Council land, and by a portion of Rocks Road: as the same is more particularly delineated on a plan marked 30 35 40 45

E. and S. 22/3258A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon in outline edged red.

26. Whereas the street known as Seven Mile Road (being portion of the Westport-Greymouth Main Highway) in the Borough of Runanga is of an average width of three chains: And whereas, without objection from the local authority, houses have been erected on the unformed portion of that street: And whereas it is desirable that portions of the street should be closed to enable leases to be granted to the owners of the houses thereon, and to ensure a uniform street width of one hundred and fifty links: And whereas it is also desirable that any portions of the said street that may be closed should vest in the Crown and become available for disposal under the Land Act, 1924: Be it therefore enacted as follows:—

Authorizing the closing of portions of a street in the Borough of Runanga and vesting the area in the Crown.

(1) The Governor-General may from time to time by Proclamation declare such portions as he thinks fit of the street in the Borough of Runanga known as Seven Mile Road to be closed:

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

Provided that the power hereby conferred shall not be exercised so as to reduce the width of the said street below a uniform width of one hundred and fifty links.

(2) Notwithstanding anything contained in the Municipal Corporations Act, 1933, or in any other Act, the land comprised in any portion of the street closed under the last preceding subsection shall vest in His Majesty as Crown land subject to the Land Act, 1924.

1933, No. 30

27. Whereas the land hereinafter described is permanent State forest under and subject to the provisions of the Forests Act, 1921-22: And whereas the land is required as an addition to the water-supply areas vested in and owned by the Corporation of the City of Nelson (in this section referred to as the Corporation) and it is desirable that the said land should be set apart for water-supply purposes and vested in the Corporation: Be it therefore enacted as follows:—

Cancelling the reservation over certain permanent State forest land in Nelson Land District, setting it apart as a reserve for water-supply purposes, and vesting it in the Corporation of the City of Nelson.

(1) The reservation for permanent State forest purposes over the land hereinafter described is hereby cancelled and the said land is hereby set apart as a reserve for water-supply purposes and vested in the Corporation in trust for those purposes.

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

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

All that area in the Nelson Land District, Waimea County, containing by admeasurement two thousand nine hundred and twenty-five acres, more or less, and being portion of State Forest Reserve of five thousand three hundred and forty acres, situated in Blocks IV and VII, Maungatapu Survey District, and Block XII, Waimea Survey District, and bounded generally as follows: commencing at peg IX on the south-eastern boundary of Section 12, Waterworks Reserve Block XII, Waimea Survey District, thence towards the north-west by the said Section 12 and Section 13, Waterworks Reserve Block XII aforesaid, and Section 15, Waterworks Reserve Block IV, Maungatapu Survey District, to Mount Claude, thence towards the north and north-east by the Dun Mountain Scenic Reserve to Trig H (Rocks); thence towards the south-east by State Forest Reserve twenty-six thousand acres (*Gazette*, 1931, page 1) to Trig L A; thence towards the south-west by a right line from Trig L A to peg IX, being the point of commencement: as the same is more particularly delineated on plan marked L. and S. 13/108/68, deposited in the Head Office, Lands and Survey Department, Wellington, and thereon bordered red.

Authorizing  
the Timaru  
Borough  
Council to sell  
certain  
endowment  
land.

**28.** Whereas the land hereinafter described is a reserve vested in the Mayor, Councillors, and Burgesses of the Borough of Timaru in trust as an endowment in aid of the funds of the Borough: And whereas difficulties are being experienced in effectively managing and administering the said land, and it is therefore desirable that the Council should be empowered to sell the area and to apply the proceeds in the purchase of other land for municipal purposes: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the Timaru Borough Council is hereby empowered from time to time by private treaty or otherwise, to sell the said land freed and discharged from the trusts, reservations, and restrictions affecting the same.

(2) The net proceeds from the sale shall be applied in the purchase of other land for municipal purposes.



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

All those parcels of land in the Canterbury Land District, containing together two thousand and two  
 5 acres two roods thirty-eight perches, more or less, in Blocks VIII and XII of the Tengawai and Blocks V and IX of the Opihi Survey Districts, being Reserve 2195x and parts of Reserve 2195, and being the whole  
 10 of the land comprised and described in certificate of title, Volume 188, folio 287, Canterbury Registry.

29. Whereas the lands described in subsection *four* of this section are vested in the Dilworth Trust Board, incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act, 1908 (in this  
 15 section referred to as the Board), subject to the restraint on the user of the said land in any manner inconsistent with the same being kept and used as a reserve for recreation purposes during the period set out in memorial of judgment registered Number 358651:  
 20 And whereas part of the said lands is subject to a memorandum of lease registered in the Auckland Land Registry under Number 17020 to the Auckland Hockey Association, Incorporated (in this section referred to as the Association): And whereas the balance of the  
 25 said lands is subject to a memorandum of lease registered in the Auckland Land Registry under Number 16878 to the Remuera Lawn Tennis Club, Incorporated (in this section referred to as the Club): And whereas on or about the fifteenth day of July, nineteen hundred  
 30 and forty-two the Minister of Defence, acting on behalf of His Majesty the King, and in exercise of the powers in that behalf conferred by the Defence Emergency Regulations 1941, entered into possession of the said lands for defence purposes and erected certain buildings  
 35 thereon for those purposes: And whereas it is now desirable that the Board be empowered to consent to the utilization by the Crown, as temporary housing units, of certain buildings erected on the land firstly described in subsection *four* of this section: And  
 40 whereas it is also desirable that the Board be

Authorizing the Dilworth Trust Board, Incorporated, to issue new leases to the Auckland Hockey Association, Incorporated, and to the Remuera Tennis Club, Incorporated, over certain trust lands, and making special provision in respect of the use of portions of the said lands.  
 See Reprint of Statutes, Vol. I, p. 774

Serial number 1941/130

empowered to consent to a sub-lease from the Club to the Crown and to a further sub-lease from the Crown to the Auckland Hospital Board of the land thirdly described in subsection *four* of this section for the purposes of a nurses' training school and nurses' home: 5  
 And whereas for the purposes of giving effect to these proposals the Club and the Association have agreed to surrender the said leases and to accept new leases on such terms and conditions as may be agreed upon by the parties thereto: Be it therefore enacted as follows:— 10

(1) Notwithstanding anything to the contrary in any Act or rule of law and particularly any restriction on the title to the lands described in subsection *four* hereof or any part thereof or on the use thereof as set out in the said memorial of judgment registered Number 358651, or otherwise howsoever, it shall be lawful for the Board— 15

(a) To accept surrenders of the said leases registered numbers 17020 and 16878 and to grant a new lease of the land firstly described in subsection *four* hereof to the Association for a term expiring on the thirty-first day of October, nineteen hundred and fifty-eight, and a new lease of the land secondly so described to the Club for a term expiring on the thirty-first day of October, nineteen hundred and fifty-eight, upon such terms as may be agreed between the parties thereto respectively: 25

(b) To consent to the utilization by His Majesty the King of the buildings on the lands firstly described in subsection *four* hereof as temporary housing units upon such terms as may be agreed upon between His Majesty the King and the Association during the term of the Association's lease: 30 35

(c) On the grant of the said lease to the Club, to consent to the grant of a sub-lease by the Club to His Majesty the King of the land thirdly described in subsection *four* hereof for the purposes of a nurses' training school and nurses' home upon such terms as may be agreed between His Majesty the King and the Club and approved by the Board; 40

- 5 (d) After the grant of any sub-lease referred to in the *last preceding* paragraph, to consent to the grant of a further sub-lease by His Majesty the King to the Auckland Hospital Board of the land described in the sub-lease for the like purpose, on such terms as may be agreed between His Majesty the King and the Auckland Hospital Board and approved by the Board.
- 10 (2) Notwithstanding any restriction hereinbefore mentioned, it shall be lawful for the Club and His Majesty the King respectively to grant the sub-leases referred to in paragraphs (b) and (c) of subsection *one* hereof, and the District Land Registrar for the
- 15 Land Registration District of Auckland is hereby authorized and directed to register any such leases and sub-leases and 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
- 20 section.
- (3) No action or other proceeding shall hereafter lie against the Board, the Association, the Club, or any other person on the ground that any consent, lease, sub-lease, act, or thing given or granted or done pursuant
- 25 to the terms of this section or to give effect thereto constitutes a breach of any restriction on the user of any part of the lands described in subsection *four* hereof.
- (4) The lands to which this section relates are
- 30 particularly described as follows:—
- Firstly, all that parcel of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement fourteen acres, twenty perches, and nine-tenths of a perch, more or less, being
- 35 Lot 1 on a plan deposited in the office of the Chief Surveyor at Auckland, under Number S.O. 34901, and thereon edged blue, being parts of Allotments 6, 7, and 13 of Section 11 and part of Allotment 1 of Section 12, Suburbs of Auckland, and being parts of the lands
- 40 described in certificates of title, Volume 604, folio 54, limited as to parcels, Volume 513, folio 274, limited as to parcels, and Volume 12, folio 178 (Auckland Registry).

Secondly, all those parcels of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement one acre two roods eight perches and four-tenths of a perch and one acre thirty perches, more or less, being Lots 2 and 3 respectively, on a plan deposited in the office of the Chief Surveyor at Auckland under Number S.O. 34901, and thereon edged red and yellow respectively, being parts of Allotments 7 and 13 of Section 11 and part of Allotment 1 of Section 12, Suburbs of Auckland, and being parts of the lands described in certificates of title, Volume 513, folio 274, limited as to parcels, Volume 604, folio 54, limited as to parcels, and Volume 12, folio 178 (Auckland Registry). 5 10

Thirdly, all that parcel of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement one acre thirty perches, more or less, being Lot 3 on a plan deposited in the office of the Chief Surveyor at Auckland under Number S.O. 34901, and thereon edged yellow, being part of Allotment 7 of Section 11, Suburbs of Auckland, and being part of the land described in certificate of title, Volume 513, folio 274, limited as to parcels (Auckland Registry). 15 20

Special provisions in respect of certain lands vested in the trustees of the late James Gammack. 1922, No. 50

**30.** Whereas the lands hereinafter described are vested in the trustees for the time being of the will of James Gammack, late of Springston, in the Provincial District of Canterbury, deceased, but without power of sale or gift being conferred on the trustees by the will: And whereas by section twenty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, provision was made for the sale of certain lands belonging to the estate of the said James Gammack: And whereas it is desirable that the trustees be permitted to sell certain other lands hereinafter described, and to invest the proceeds from such sale in trust for the beneficiaries according as they are entitled to the same in terms of the said will: Be it therefore enacted as follows:— 25 30 35

(1) The Governor-General may, by Order in Council, authorize the trustees for the time being of the will of the said James Gammack, deceased, subject to such conditions as the Governor-General shall think fit, 5 to sell the lands hereinafter described and to invest the proceeds from the sale for the benefit of the beneficiaries according as they are entitled to the same under the said will.

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

Firstly, all that piece of land situated in Block VIII of the Leeston Survey District, containing two acres one rood twenty-five perches and eight-tenths of a perch, more or less, being part of Rural Section 3053 and 15 being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 1 on Deposited Plan Number 13488 (Land Registration District of Canterbury).

Secondly, all that piece of land situated in Block 20 VIII of the Leeston Survey District, containing three roods twenty-four perches and six-tenths of a perch, more or less, being part of Rural Section 3053, and being part of the land comprised in certificate of title, Volume 501, folio 192, and the whole of the land in 25 memorandum of lease Number 11728, and more particularly shown as part of Lot 3 on Deposited Plan Number 5565 (Land Registration District of Canterbury).

Thirdly, all that piece of land situated in Block VIII 30 of the Leeston Survey District, containing one acre two roods, more or less, being part of Rural Section 7152, and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 1 on Deposited Plan Number 11913 (Land 35 Registration District of Canterbury).

Fourthly, all that piece of land situated in Block VIII of the Leeston Survey District, containing three acres three roods three perches, more or less, being 40 parts of Rural Sections 7006 and 7007 and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lots 10 and 11 on Deposited Plan Number 5565 (Land Registration District of Canterbury).

Fifthly, all that piece of land situated in Block VIII of the Leeston Survey District, containing two acres three roods five perches, more or less, being part of Rural Section 7006, and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 9 on Deposited Plan Number 5565 (Land Registration District of Canterbury). 5