

RESERVES AND OTHER LANDS DISPOSAL BILL

EXPLANATORY NOTE

Clause 2: Declaring certain lands reserved as endowments for the establishment of an experimental dairy school for the North Island to be Crown land subject to the provisions of the Land Act 1948.—The lands dealt with in this clause were reserved as endowments for the establishment of an Experimental Dairy School for the North Island in 1896 and 1906. These lands have been leased for many years and as no dairy school has been established the annual net rental together with interest on accumulated revenue was paid to Massey College for the benefit of the Dairy Research Institute. Since 1947, however, the revenues have in effect been paid by way of an annual grant of £600 to the Dairy Research Institute which had at that time become incorporated. The lands are not required for the purpose for which they were originally set apart and they are by this clause declared to be Crown land subject to the Land Act 1948. Accumulated revenues not disbursed by way of grants amount to some £11,500 and this clause provides for the transfer of these moneys to the Loans Redemption Account.

Clause 3: Vesting portions of Hutt Valley Domain in the Lower Hutt City Corporation in trust as reserves for recreation purposes.—The lands dealt with in this section are portions of the Hutt Valley Domain and are under the control of the Hutt County Council as a Domain Board. When the lands were included in that domain, they were situated in the Hutt County but with changes of boundaries they are now situated within the Lower Hutt City. It is desirable that provision be made enabling the Lower Hutt City Council to take over administration of the lands. The City Council does not desire to administer the lands as a domain but prefers that they be vested in the City Corporation as recreation reserves and the clause makes provision accordingly.

Clause 4: Section 26, Reserves and Other Lands Disposal Act 1948, repealed.—Section 26 of the Reserves and Other Lands Disposal Act 1948 authorizes the Minister in Charge of Scenery Preservation to grant a lease in favour of the Boy Scouts Association (New Zealand Branch), Incorporated, over part of the Lowry Bay Scenic Reserve. This Reserve is mainly in bush and is situated to the east of Lowry Bay Township on the eastern shore of Wellington Harbour. It is controlled by the Hutt County Council. It had been intended to grant the Boy Scouts a lease for the purpose of a hut site in respect of an open portion of the reserve but as this proposal is not being proceeded with it is desirable that the special leasing authority be repealed and the clause accordingly does this.

Clause 5: Declaring portion of the Mackenzie Domain to be Crown land subject to the Land Act 1948.—The five acre portion of the Mackenzie Domain dealt with in this clause is declared Crown land to enable it to be incorporated in a lease of other Crown land held by an ex-serviceman. This lessee had originally been allotted a unit in the Cheviot Hills Farm Settlement but he agreed to release some eight to ten acres from the unit for addition with other land to the Mackenzie Domain. He agreed to this proposal on the understanding that he would receive in exchange a permanent lease of the portion of the domain dealt with in this section and the clause will enable this to be done. The five acre area is only a small portion of the Domain and is low lying, wet in winter, and unsuitable for domain purposes. It will, however, be quite useful to the ex-serviceman for farming purposes. Special legislation is necessary as normally when a domain reservation is revoked the land has to be sold for cash.

Clause 6: Revoking an Order in Council concerning Hauturu Block (Little Barrier Island).—Little Barrier Island is at present controlled by the Minister in Charge of Tourist and Health Resorts under the Tourist and Health Resorts Control Act 1908. The island is a reserve for the preservation of native fauna and it is desirable that control should revert to the Minister of Lands who is responsible for the administration of the Public Reserves, Domains, and National Parks Act 1928. It is therefore necessary to remove the area from the operation of the Tourist and Health Resorts Control Act 1908, and from the control of the Minister charged with the administration of that Act. The clause effects this by revoking the Order in Council by which the land became subject to that Act.

Clause 7: Closing certain portions of a public road and declaring certain lands to be public road in Block XIV, Waimate Survey District.—In 1906 the Waimate County Council surveyed a deviation of part of Mill Road near Waimate. It was intended to close certain portions of the road and take small areas of adjoining land for road purposes but the action was never completed. Subsequent surveys of the adjoining lands were carried out on the assumption that the taking and closing action had been finalized and the result is that certificates of title have been issued purporting to include lands which are in actual fact public road while the lands in other certificates which purport to front legal roads are separated from the legal road by the strips which it had been intended to take for road. It is desirable that the original deviation proposals be given effect to and that the certificates of title be validated and the clause makes provision accordingly.

Clause 8: Granting the Bluff Borough Council special leasing powers over certain endowments.—The lands dealt with in this section are endowments in aid of the funds of the Bluff Borough. The Borough Council has erected houses on these lands and has let them to weekly tenants. The Council wishes to sell the houses and other fixtures on the lands to the tenants, if they wish to buy, and to grant those tenants long term leases. The Municipal Corporations Act 1933, however, stipulates that leases for a term of more than one year shall be offered by public auction, public tender, or public application at a fixed rental followed by a ballot. The Council desires special authority so that it may give the existing tenants preferential allotment of their sections, and the clause makes provision accordingly.

Clause 9: Declaring land in Hanmer Township subject to the Tourist and Health Resorts Control Act 1908 to be Crown land.—The land dealt with in this section is a small portion of a reserve opposite the Hanmer Sanatorium and is under the control of the Minister of Health. The section is required for an electricity substation site by the North Canterbury Electric Power Board. This project is necessary, and the Health Department has agreed to the land being made available. As a preliminary step to this it is necessary that the land be removed from the control of the Minister of Health and be declared Crown land. The clause makes provision accordingly.

Clause 10: Conferring certain powers on the trustees of the late James Gammack.—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 of the estate income 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. The trustees have been approached by parties who wish to buy freehold building sites at Springston. For the better development of Springston it is desirable that suitable building sites be made available on freehold tenure, but as the trustees have no power of sale, special authority is required to give them that power, and the clause makes provision accordingly. The area in respect of which powers of sale are conferred on the trustees in this clause is 11 acres 2 roods 13 perches. The total area in the estate is over 1,400 acres.

Clause 11: Declaring certain land in Block X, Orahiri Survey District, to be Crown land subject to the Land Act 1948.—The land dealt with in this clause is a 55 acre portion of a scenic reserve adjacent to the Ruakuri and Aranui Caves at Waitomo. This reserve is under the control of the Tourist and Health Resorts Department. The land being dealt with has no bush on it of scenic value and has become infested with gorse and fern. It is no longer necessary to retain the scenic reservation over the 55 acres nor is this area required by the Tourist and Health Resorts Department. It is proposed to declare the area to be Crown land subject to the Land Act 1948 so that it may be disposed of on permanent tenure under that Act. The clause revokes the vesting of control in the Minister in charge of Tourist and Health Resorts, and the scenic reservation, and declares the land to be Crown land subject to the Land Act 1948.

Clause 12: Authorizing the Christchurch City Council to sell certain lands.—The lands dealt with in this clause were purchased by the Sydenham Borough Council in 1902. With the inclusion of the Sydenham Borough in the Christchurch City the lands have become vested in the Christchurch City Corporation. These lands, together with a block adjoining, form the Sydenham cemetery. The areas being dealt with lie behind the sexton's cottage and have not been surveyed for burial purposes. Certain adjoining owners are subdividing their lands and the addition to their properties of the small unused cemetery areas will permit a better scheme of subdivision. The Council, however, cannot make the areas available as the Cemeteries Act 1908 prohibits the sale of land held for cemetery purposes. It is desirable that the Council be given special authority to sell the small areas and the clause makes provision accordingly.

Clause 13: Authorizing the Auckland City Council to sell portion of Grey Lynn Domain and declaring another portion of the said Domain to be public street.—The land firstly described in this clause is a gully which is separated from the main Grey Lynn Domain area by the land dealt with secondly in the clause. This latter area has been formed and maintained as part of Arnold Street for many years. Neither area is suitable or required for recreation purposes and the clause accordingly empowers the Auckland City Council to sell the severed area and declares the portion in use as a street to be a public street.

Clause 14: Vesting the Newmarket Domain in the Corporation of the Borough of Newmarket subject to certain trusts.—The lands dealt with in this section comprise the Newmarket Domain at Newmarket, Auckland, which is at present controlled by the Newmarket Borough Council in its capacity as a Domain Board. The lands are bounded by Manukau Road, the North Auckland railway, and Davis Crescent, and are the site of the Olympic swimming pool. The Borough Council wishes to raise a loan for the further development of the swimming pool structure. It is intended to convert the pool so that it may be roofed over in winter and used as an indoor stadium. It is also intended to lease vacant space under the grandstands which will assist in providing revenue for the repayment of interest and principal in respect of the loan moneys. In order to undertake the works proposed the Council desires the fullest possible powers of administration, and accordingly has requested that the land be vested in the Borough Corporation for municipal purposes in such manner as will enable it to exercise in respect of the area all the powers given by the Municipal Corporations Act 1933. There is a small area of vacant land to the north of the swimming pool enclosure which is laid out in lawns, and it is agreed that this area should be kept as an open space. The clause accordingly vests the whole Domain in the Borough Corporation for municipal purposes, without power of sale and with a restriction that no buildings are to be erected on the small area at present in grass.

Clause 15: Validating certain leases and extending the leasing powers of the Palmerston Borough Council in respect of certain lands.—The lands dealt with in this clause are vested in the Palmerston Borough Corporation as reserves for various purposes but are no longer required for the purposes for which they are reserved. The Palmerston Borough Council has granted leases in respect of parts of these lands and has also granted rights of way in connection with these leases. The leases provide that, prior to their expiry, further leases shall be offered at auction. If the existing lessee is the highest bidder at any such auction, or the only bidder offering the upset rental or a greater sum, then he will be entitled to a renewal of his lease with the same provision for further renewal. As the lands are public reserves the Council has no authority to grant leases containing these renewal rights, and although one lease has been registered the District Land Registrar has declined to register the remaining leases. The lessees have erected houses on the sections on the faith of their leases, and it is desirable that the leases and the rights of way in connection therewith be validated in order to give the lessees security of tenure. As the lands are not required for municipal purposes it is also desirable to grant the Council additional leasing powers in respect of the said lands to enable it to grant further leases with perpetual rights of renewal and the clause makes provision accordingly.

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Clause 16: Vesting portion of a scenic reserve and an area of Crown land in the Corporation of the City of Auckland as water supply reserves.—The lands dealt with in this section lie into other areas acquired by the Auckland City Council in the Hunua Ranges for the purposes of a supplementary water supply scheme for the Auckland City. The dam and water outlet tunnel for the scheme will be on the lands dealt with in this clause and it is desirable that these lands be vested in the City Corporation. The area firstly described in the clause is a 67 acre portion of a scenic reserve containing 186 acres and including the Hunua Falls. The falls themselves are situated on the portion of the reserve being retained by the Crown while the portion to go to the Council is fairly inaccessible and not used by the public. The land secondly described in the clause is an area of unoccupied Crown land.

Clause 17: Vesting certain land in the Te Rau a moa Hall Society (Incorporated).—The land dealt with in this clause was acquired in or about 1907 by the Te Rau-a-moa Co-operative Dairy Company, Limited, and the company erected a factory building and a manager's house on the property. A few years later that company got into financial difficulties and sold its assets to the Oparau Co-operative Dairy Company, Limited. The Oparau Co-operative Dairy Company, Limited, sold the house for removal, and contracted with the Te Rau a moa Hall Society (Incorporated) for the sale of the land and factory building to that society for £100. A deposit of £60 was paid, and the balance of £40 was to be paid when the society was given title. The Oparau Dairy Company found that the cost of acquiring title from the old Te Rau-a-moa Dairy Company and giving title to the society would cost more than the £40, and accordingly instructed the liquidator of the last mentioned company to transfer the section direct to the society. The liquidator died before a transfer was effected, and the title still remains in the name of the Te Rau-a-moa Company, which was struck off the Register of Companies in 1926. The Oparau Co-operative Dairy Company, Limited, has also been wound up. The Hall Society has paid the rates on the land since 1913 and has maintained the old factory building as a hall. It is desirable that the land be vested in the Hall Society, and the clause makes provision accordingly.

Clause 18: Authorizing the Auckland City Council to reclaim certain land from the sea.—The area of tidal land containing 28 acres 1 rood 14 perches dealt with in this clause was vested in the Grey Lynn Borough Corporation by the Grey Lynn Domain Vesting Act 1909 in trust as a place of public recreation and enjoyment. The area is the portion of the Cox's Creek estuary lying to the east and south of the bridge linking the suburbs of Herne Bay and Westmere, Auckland. With the inclusion of the Grey Lynn Borough in the Auckland City the property passed to the Auckland City Corporation. The 1909 Act gives the local body power to maintain, ornament, lay out, and manage the said land, but does not give specific authority to reclaim the land from the sea. Under the Harbours Act 1950 it is necessary to obtain a special authorizing Act to undertake the reclamation of tidal areas exceeding 5 acres. It is desirable that the Council be given specific authority to reclaim the land, and the clause makes provision accordingly. The reclamation does not interfere with navigation in any way and the Marine Department and the Auckland Harbour Board have no objection.

Clause 19: Declaring certain land to have been granted to the Corporation of the Borough of Arrowtown as an endowment.—The land dealt with in this clause was acquired by the Ministry of Works in 1945 in order that it might be granted to the Arrowtown Borough Corporation in place of certain municipal endowment land taken by the Crown for irrigation purposes. The land was, however, subsequently vested in the Corporation as a reserve for municipal purposes and not as an endowment. The Arrowtown Borough Council has granted leases in respect of parts of the block which purport to carry a perpetual right of renewal. These leases are invalid, as a perpetually renewable lease cannot be granted over a public reserve. If the land had been given the same status as the area which was taken by the Crown—*i.e.*, as an endowment—then the leases would have been quite in order. The lessees, acting in good faith, have erected dwellings on the lands, and in order to validate the leases it is desirable to declare the land to have been granted as an endowment, and the clause makes provision accordingly.

Clause 20: Authorizing the Gisborne Borough Council to sell certain land.—The lands dealt with in this clause were, together with other lands, granted to the Gisborne Borough Corporation in the year 1880 for the purposes of an endowment for the improvement and benefit of the Township of Gisborne. Portions of the areas have been leased as building sites and have houses erected thereon, while the residue is used for the borough yards and workshops. The Council wishes to dispose of the area used for yards and workshops to a business firm as a site for a textile factory. The Council is anxious to see this factory established, as it will provide employment for at least two hundred persons. To compensate for the loss of yard space the Council hopes to purchase an adjacent block of land and shift the sheds and workshops on to that area. The Council has received requests from the lessees of the houses referred to above for the purchase of the lands covered by their leases, and the Council desires authority to do this. Special legislation is necessary to empower the sale of endowment land, and the clause accordingly authorizes the Council to sell the areas. Provision is made in the clause for the application of the proceeds for the purchase of other land or the construction of buildings, improvements, and other amenities.

Clause 21: Authorizing the Stratford Borough Council to sell certain land.—The land dealt with in this clause (Section 816, Town of Stratford) contains 1 rood 3 perches and is vested in the Stratford Borough Corporation as a municipal endowment. The adjoining section (Section 817) was purchased some time back, and the purchaser intended building a house thereon. In good faith he made a mistake as to the section purchased by him and erected a house on the Council's section. Apart from the great expense that would be involved, it is not possible to shift the house on to Section 817 due to the contour of that section. Considerable bulldozing work was done on the Council's section (No. 816) to make it more suitable for a building site. The Council feels that it would be equitable to sell Section 816 to the purchaser of the adjoining land who made a genuine mistake and wishes to apply the proceeds of the sale towards the purchase of further land for endowment. The clause accordingly authorizes the Council to sell Section 816 and apply the proceeds towards the purchase of further land for endowment purposes.

Clause 22: Making special provision in regard to certain compensation moneys to be paid to the Wanganui City Council.—The Ministry of Works has entered into an agreement with the Wanganui City Council for the acquisition by the Crown of a small area of land on which a tramway barn is situated. The land is wanted by the Crown for the purposes of a departmental workshop. As the land concerned is portion of an endowment in aid of the city funds and is vested in the City Corporation without power of sale it will be necessary to take the land under the Public Works Act 1928, and the consent of the Council to that action has been given. Section 92 of the Public Works Act 1928 provides that the compensation moneys in respect of lands taken from a person having a qualified ownership only without power of sale shall be paid to the Public Trustee, who may release the moneys to the former land owner for certain purposes. In this case it is desired to pay the compensation moneys direct to the City Council, which wishes to use portion representing the value of the land (£1,000) for the purchase of other land or for the improvement of land used for recreation purposes and to pay the portion representing the value of buildings (£12,150) into its General Account for use for general purposes. The clause makes provision accordingly.

Clause 23: Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948.—The lands dealt with in this clause comprise seven parcels of permanent State forest land in the South Auckland, Taranaki, Wellington, Westland, and Southland Land Districts. None of the areas concerned are required for forestry purposes. The area firstly described was set apart as State forest land so that it might be used as a site for a nursery. It has now been decided not to establish a nursery in the locality, and consequently it is desired to dispose of the area under the Land Act 1948. The areas secondly described are in the Pourakino Valley, Southland, and suitable for settlement for farming purposes. The area thirdly described is a small piece of land which has been leased for many years. The lessee is freeholding adjoining lands also leased by him, and it is desirable that he also be given the freehold of this small State forest area. The area fourthly described is to be disposed of to a neighbouring farmer to give him a better fencing line. The area fifthly described is to be made available for a site for a school teacher's residence. The area sixthly described is in manuka and fern and is to be utilized as an addition to the Rangipo Prison Farm. The area seventhly described is in fern and scrub and is to be disposed of to an adjoining farmer.

Clause 24: Amending section 15 of the Reserves and Other Lands Disposal Act 1941 (as to expenditure of trust funds by trustees of will of late Sir John Logan Campbell).—Under the authority of section 2 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1912 the trustees of the will of the late Sir John Logan Campbell have erected an obelisk on One Tree Hill, Auckland, in memory of the deceased and also in honour of the Maori race. There is a roadway leading up to this obelisk on the summit of the hill from the main drive through the One Tree Hill Domain. It was proposed to tar seal this roadway and also to put in a footpath with steps for the use of pedestrians, and in 1941, by section 15 of the Reserves and Other Lands Disposal Act 1941, the trustees were empowered to spend £2,000 from the trust funds towards this work. Due to the war and other factors the work has not yet been done and the £2,000 has not been spent. It is now proposed to construct the roadway and footpath in more permanent form and to higher standards, and the estimate of cost is £16,000. The trustees desire authority to expend this sum on the proposed work, and the clause provides for this by a suitable amendment of section 15 of the Reserves and Other Lands Disposal Act 1941.

Clause 25: Validating an agreement between His Majesty the King and the Otago Iron Rolling Mills Company, Limited.—To ensure that the New Zealand Government had an adequate supply of certain iron and steel products, arrangements were made during the war years with the Otago Iron Rolling Mills Company, Limited, for the erection by the Crown of additional plant alongside the company's premises at Green Island, and the company was permitted to work this additional plant (known as the duplication plant) so that the supply of its products could be augmented to meet State requirements. Later, in 1949, the Government entered into an agreement with the company for the operation of the Government owned plant. This agreement also provided for the purchase of land, buildings, and plant from the company to make the undertaking a self-contained rolling mill. It provided, too, for the refurbishing of the Government's present plant so that it could be used, having been idle for some time. The agreement also provided that, consequent on the purchase of the company's plant, the company was to be granted a licence to work the plant for five years, and that the Government was to participate in the profits on a royalty basis. Further provision was made that the Government was to get a fixed proportion of the output of the whole plant. The undertaking has been working satisfactorily under the terms of the agreement, and it has been financially advantageous to both parties. At the time the arrangement was made it was essential to keep the plant in operation, and, although the arrangement lacked authority, it is desirable that it be confirmed and validated. The clause accordingly does this.

Clause 26: Vesting the bed of Lake Waiaatarua in the Corporation of the City of Auckland.—In 1918 the Auckland City Council acquired the area surrounding Lake Waiaatarua at Meadowbank from the St. John's College Trust Board for the purposes of a public park and recreation ground. The same deed of conveyance purported to transfer the bed of the lake to the City Corporation, but doubts have arisen as to the validity of this part of the conveyance due to the doubtful ownership of the lake bed by the Trust Board. The present ownership of the lake bed may possibly be vested in the Crown, and the City Council has applied for special legislation confirming its title and it is reasonable that the Council's title be confirmed. The clause accordingly declares the lake bed to be and to have been vested in the Corporation of the City of Auckland.

Clause 27: Closing portion of a public street in the Borough of Hokitika and making provision for the sale or leasing thereof.—The lands dealt with in this clause form portion of Revell Street, in Hokitika, lying between Tudor Street and Town Belt North. When Revell Street was originally laid out in 1867 it had in the locality to which this clause relates a width varying from 259 to 372 links fronting the sea. Gradual accretion has occurred, so that the street now has a width of approximately 6 chains. A number of persons erected cottages on portions of the original street many years ago without lawful authority. The Hokitika Borough Council wishes to have the title to these portions put on a proper basis, and to do this it is necessary to close the areas of street concerned, subdivide them, and sell or lease the respective lots to the present occupiers of the cottages. Special legislation is necessary to do this as under the Municipal Corporations Act 1933 a closed street can only be disposed of by public auction save in the case of a sale to an adjoining owner, whereas in this case it is desired to give preferential allotment to the existing occupiers. The closing of these areas of street will still leave a strip of some three to four chains along the foreshore and public access to the sea will not be restricted.

Clause 28: Declaring certain land in Block XIX, Invercargill Hundred, to be Crown land.—The land dealt with in this section was acquired by the Clifton Woodend and Bluff Athletic Society in 1908. The society was dissolved by the Registrar of Incorporated Societies on 21 December 1911, and no use has been made of the land since then, and as far as is known no person is in a position to claim ownership of it. The land is included in the Clifton foreshore reclamation scheme, which provides for drainage and building of a protection wall against tidal flooding by sea water of an area of 450 acres. The work is being done by the Southland Catchment Board and is being financed by contributions from the settlers in the area and the Soil Conservation and Rivers Control Council. As the Athletic Society has been dissolved no contribution can be collected from it. The society could possibly be revived under the Incorporated Societies Act 1908, but this would be a complicated and lengthy procedure as most of the members are now dead or have left the district. An alternative is for the land to be given the status of Crown land in the first instance. If it is subsequently required for recreation or other public purpose it can be reserved under the Land Act. If not so required it can be disposed of for farming or some other use. If it is Crown land the Crown can contribute to the cost of the protection and drainage work. This clause makes provision for the land to be declared Crown land and also provides for payment of compensation should any person make a claim. The present value of the land is £35.

Clause 29: Declaring certain endowment lands in the Tauranga District to be vested in His Majesty as Crown land subject to the provisions of the Land Act 1948.—In 1896 certain lands in the Tauranga District were vested in the Public Trustee as endowments for Maori schools by the Tauranga Educational Endowment Reserves Act 1896. In 1902 a further area was similarly vested. Under the Maori Trustee Act 1920 the title and control of the lands passed to the Maori Trustee. By the Land Act 1948 and the Education Lands Act 1949 educational endowments vested in the Crown and in High School Boards were abolished as funds for educational purposes are now appropriated by Parliament. It is desirable that the endowments vested in the Maori Trustee be also abolished for the same reason and the clause accordingly declares the lands to be vested in His Majesty as Crown land subject to the Land Act 1948. Provision is made in the clause for the payment of accumulated revenues to the Consolidated Fund and for the continuance of existing leases. There is also conferred on the lessees substantially the same rights, privileges, and obligations as are applicable to lessees of Crown Land under the Land Act 1948.

Clause 30: Closing a riverbank road in Block XI, Ohinewairua Survey District.—The land dealt with in this clause is an area of legal road running along the Moawhango River about 14 miles north-east of Taihape, for a distance of approximately 12 chains and was originally intended to provide access to and across the river to the Erewhon-Taihape State Highway. Access to the highway was, however, established a short distance away where a concrete bridge has been constructed across the river and the road leading to this bridge will be legalized shortly. Now that alternative access is to be provided the area of road dealt with in this section is no longer required. The lands adjoining are held by the Crown for the settlement of ex-servicemen and it is intended to include portion of the road to be closed in one of the units of this block while a strip along the river will be reserved from disposal under Section 58 of the Land Act 1948.

Clause 31: Authorizing the Patea Borough Council to sell certain lands.— The lands dealt with in this clause were granted to the Carlyle Town Board in 1877, and they are now vested in the Corporation of the Borough of Patea as successor to that Board. Most of these lands are in the main business area of the borough and are leased under leases containing perpetual rights of renewal. The leases are not trustee securities, and the lessees have experienced difficulty in refinancing for rebuilding purposes, a difficulty which would be overcome if they were able to secure freehold titles. Many of the buildings on these leaseholds are over seventy years old and are in urgent need of major repairs, and in several cases rebuilding is essential. There are also four areas of vacant land which the Council considers should be sold, to provide more land for development of the borough. In 1930 the Council was given power by the Patea Borough Council Empowering Act 1930 to sell certain reserve lands, and section 4 (2) of that Act provided for the investment of the proceeds and the application of the income in relief of rates, so that the income in effect takes the place of the rentals from the lands. It is desirable in the general interests of the borough that the Council be given authority to sell the lands described in this clause and to deal with the proceeds in the same manner as is provided for in the sale of the lands sold under the 1930 legislation, and the clause makes provision accordingly.

Hon. Mr. Corbett

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

- | Title. | |
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| 1. Short Title. | 10. Conferring certain powers on the Trustees of the late James Gammack. |
| 2. Declaring certain lands reserved as endowments for the establishment of an experimental dairy school for the North Island to be Crown land subject to the provisions of the Land Act 1948. | 11. Declaring certain land in Block X Orahiri Survey District to be Crown land subject to the Land Act 1948. |
| 3. Vesting portions of Hutt Valley Domain in the Lower Hutt City Corporation in trust as reserves for recreation purposes. | 12. Authorizing the Christchurch City Council to sell certain lands. |
| 4. Section 26, Reserves and Other Lands Disposal Act 1948, repealed. Repeal. | 13. Authorizing the Auckland City Council to sell portion of Grey Lynn Domain and declaring another portion of the said domain to be public street. |
| 5. Declaring portion of the Mackenzie Domain to be Crown land subject to the Land Act 1948. | 14. Vesting the Newmarket Domain in the Corporation of the Borough of Newmarket subject to certain trusts. |
| 6. Revoking an Order in Council concerning Hauturu Block (Little Barrier Island). | 15. Validating certain leases and extending the leasing powers of the Palmerston Borough Council in respect of certain lands. |
| 7. Closing certain portions of a public road and declaring certain lands to be public road in Block XIV, Waimate Survey District. | 16. Vesting portion of a scenic reserve and an area of Crown land in the Corporation of the City of Auckland as water supply reserves. |
| 8. Granting the Bluff Borough Council special leasing powers over certain endowments. | 17. Vesting certain land in the Te Rau a moa Hall Society (Incorporated). |
| 9. Declaring land in Hanmer Township subject to the Tourist and Health Resorts Control Act 1908 to be Crown land. | 18. Authorizing the Auckland City Council to reclaim certain land from the sea. |

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| <p>19. Declaring certain land to have been granted to the Corporation of the Borough of Arrowtown as an endowment.</p> <p>20. Authorizing the Gisborne Borough Council to sell certain land.</p> <p>21. Authorizing the Stratford Borough Council to sell certain land.</p> <p>22. Making special provision in regard to certain compensation moneys to be paid to the Wanganui City Council.</p> <p>23. Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948.</p> <p>24. Amending section 15 of the Reserves and Other Lands Disposal Act 1941 (as to expenditure of trust funds by trustees of will of the late Sir John Logan Campbell).</p> | <p>25. Validating an agreement between His Majesty the King and the Otago Iron Rolling Mills Company, Limited.</p> <p>26. Vesting the bed of Lake Waikarepa in the Corporation of the City of Auckland.</p> <p>27. Closing of portions of a public street in the Borough of Hokitika and making provision for the sale or leasing thereof.</p> <p>28. Declaring certain land in Block XIX, Invercargill Hundred, to be Crown land.</p> <p>29. Declaring certain endowment lands in the Tauranga district to be vested in His Majesty as Crown land subject to the provisions of the Land Act 1948.</p> <p>30. Closing a riverbank road in Block XI, Ohinewairua Survey District.</p> <p>31. Authorizing the Patea Borough Council to sell certain lands. Schedule.</p> |
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A BILL INTITULED

Title. AN ACT to provide for the sale, reservation, and other disposition of certain reserves, Crown Lands, endowments, and other lands, to validate certain transactions, and to make provision in respect of certain other matters. 5

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

Short Title. 1. This Act may be cited as the Reserves and Other Lands Disposal Act 1951. 10

2. Whereas the lands described in subsection *six* of this section are reserved as endowments for the establishment of an experimental dairy school for the North Island in such manner as the Minister for Agriculture directs: And whereas the rents and profits in respect of the said lands are paid to a special deposit account called the North Island Experimental Dairy School Account: And whereas the said lands are no longer required for the purposes for which they are reserved and it is desired to declare them to be ordinary Crown land subject to the Land Act 1948: And whereas it is 15 20

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1948, No. 64

necessary to make provision for the disbursement of any moneys held in the said special deposit account: Be it therefore enacted as follows:—

5 (1) The lands described in subsection *six* of this section are hereby declared to be no longer set apart as endowments for the establishment of an experimental dairy school for the North Island and shall be deemed to be Crown land under and subject to the provisions of the Land Act 1948 subject to all leases, encumbrances,
10 liens, and easements affecting the same.

(2) All moneys standing to the credit of the special account known as the North Island Experimental Dairy School Account shall, without further authority than this section, be transferred to the Loans Redemption
15 Account and the said special account shall be closed.

(3) The District Land Registrar for the Taranaki Land Registration District is hereby authorized and directed to do all such things as are necessary to give effect to the provisions of this section and to make all
20 necessary endorsements on any certificates of title in respect of the said lands, and any such certificates shall enure in the name of His Majesty until the expiration or sooner determination of any lease registered against the same, and shall then be cancelled by the said District
25 Land Registrar.

(4) The cancellation of any certificate of title under the provisions of subsection *three* of this section shall not affect the legal or equitable rights or interests of any person in or concerning the land comprised in any
30 such certificate of title.

(5) The Land Settlement Board may accept a surrender of any lease in respect of the said lands, or any part thereof, which subsists at the coming into force of this section and any such surrender shall be
35 on such terms and conditions as the Board thinks fit.

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

Firstly, all that area in the Taranaki Land District, Waimate West County, containing by admeasurement
40 ninety acres and twenty perches, more or less, being Section 32, Block III, Waimate Survey District, part of the said land being more particularly delineated as Lot

19 on a plan deposited in the Land Registry Office at New Plymouth under number 4321, the said land being the whole of that comprised and described in certificate of title, Volume 147, folio 167, Taranaki Registry.

Secondly, all that area in the Taranaki Land District, Hawera County, containing by admeasurement sixty-five acres one rood twenty-four perches and two-tenths of a perch, more or less, being Subdivisions 1, 2, and 4 of Section 534, Patea District, situated in Block XI, Hawera Survey District: as the same is more particularly delineated on the plan marked L. and S. 26/787B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (S.O. Plan 7506.)

Vesting portions of Hutt Valley Domain in the Lower Hutt City Corporation in trust as reserves for recreation purposes. See Reprint of Statutes, Vol. VI, p. 1148

3. Whereas the lands described in subsection *three* of this section are portions of the Hutt Valley Domain under and subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928: And whereas the Hutt County Council has been appointed to be the Domain Board thereof: And whereas it is expedient that the said lands be vested in the Lower Hutt City Corporation in trust as reserves for recreation purposes: Be it therefore enacted as follows:—

(1) The lands described in subsection *three* of this section are hereby declared to be no longer portions of the Hutt Valley Domain under the control of the Hutt Valley Domain Board, and the said lands are hereby vested in the Corporation of the City of Lower Hutt in trust as reserves for recreation purposes under and subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928.

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

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

Firstly, all those areas in the Wellington Land District, City of Lower Hutt, containing by admeasurement one acre two roods and two hundredths of a perch, more or less, being lots 24 and 34 on a plan

Ibid., p. 1136

deposited in the Land Registry Office at Wellington under number 9893, and being parts of Section 34, Hutt Registration District, Block XIV, Belmont Survey District, and being part of the land comprised and described in certificate of title, Volume 164, folio 166, Wellington Registry.

Secondly, all that area in the Wellington Land District, City of Lower Hutt, containing by admeasurement one acre and one rood, more or less, being Lot 12 on a plan deposited in the Land Registry Office at Wellington under number 6516, and being part of Section 52, Hutt Registration District, Block IX, Belmont Survey District, and being part of the land comprised and described in certificate of title, Volume 306, folio 190, Wellington Registry.

4. Section twenty-six of the Reserves and Other Lands Disposal Act 1948 is hereby repealed.

Section 26,
Reserves and
Other Lands
Disposal Act
1948, repealed.
1948, No. 72
Repeal.

5. Whereas the land described in subsection *two* of this section is subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928, and forms portion of the Mackenzie Domain: And whereas it is expedient that the said land be declared to be Crown land subject to the Land Act 1948: Be it therefore enacted as follows:—

Declaring
portion of the
Mackenzie
Domain to be
Crown land
subject to the
Land Act 1948.
See Reprint
of Statutes,
Vol. VI, p. 1148
1948, No. 64

(1) The land described in subsection *two* of this section is hereby declared to be no longer subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928, and the said land is hereby declared to be Crown land subject to the Land Act 1948.

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

All that area in the Canterbury Land District, containing by admeasurement five acres and twenty-seven perches, more or less, being part of Reserve 3171, Block VII, Cheviot Survey District: as the same is more particularly delineated on the plan marked L. and S. 1/143b, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red. (S.O. Plan 1395.)

Revoking an Order in Council concerning Hauturu Block (Little Barrier Island).

See Reprint of Statutes, Vol. VIII, p. 605

Closing certain portions of a public road and declaring certain lands to be public road in Block XIV, Waimate Survey District.

6. Whereas by an Order in Council dated the third day of March, nineteen hundred and eight, and published in the *Gazette* of the twelfth day of that month at page 849 (in this section referred to as the said Order in Council) the control of the land described in subsection *two* of this section, being a reserve for the preservation of native fauna, was, together with the control of certain other reserves, vested in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908: And whereas it is desired to revoke the said Order in Council in so far as it affects the said land: Be it therefore enacted as follows:—

(1) So much of the said Order in Council as relates to the land described in subsection *two* of this section is hereby revoked.

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

All that area in the North Auckland Land District, Little Barrier Survey District, containing by admeasurement six thousand nine hundred and sixty acres, more or less, being the Hauturu Block (or Little Barrier Island) and being the whole of the land comprised and described in certificate of title, Volume 74, folio 147, Auckland Registry.

7. Whereas in January, nineteen hundred and six, the Waimate County Council caused a survey to be made for the purposes of making certain deviations of Mill Road passing through Rural Section numbered 4316, Canterbury Land District, and a plan of the survey, under number 2104A, was lodged in the office of the Chief Surveyor at Christchurch: And whereas the Waimate County Council proposed to close the portions of Mill Road firstly, secondly, and thirdly described in subsection *six* of this section and to take the lands fourthly described in the said subsection for a public road to form part of Mill Road: And whereas in April, nineteen hundred and forty-three the adjoining land was subdivided and the subdivisional plan thereof was deposited in the Land Registry Office at Christchurch under number 12320: And whereas the Mill Road frontage to the various lots on the said plan number

12320 was defined as if the deviation of Mill Road hereinbefore mentioned had been lawfully carried out: And whereas the portions of Mill Road firstly described in subsection *six* of this section have become included
5 within the boundaries of Lots 1 and 2 of the said plan number 12320 and the portion of Mill Road secondly described in the said subsection has become included within the boundaries of Lot 4 on the said plan number 12320: And whereas the portions of Rural Section
10 number 4316 and part of the bed of Waimate Stream fourthly described in subsection *six* of this section have been delineated on the said plan numbered 12320 and upon the certificates of title issued over the lots shown thereon, as being portions of Mill Road: And whereas
15 it has now been discovered that the necessary steps for carrying out the deviation of Mill Road were not at any time completed: And whereas it is now expedient to validate the existing plans and certificates of title relating to the lots shown thereon: Be it therefore
20 enacted as follows:—

(1) The portions of Mill Road firstly described in subsection *six* of this section are hereby declared to be closed and the inclusion of those areas, as parts of Lots 1 and 2 on the said Deposited Plan number 12320,
25 in certificate of title, Volume 513, folio 198, Canterbury Registry, is hereby validated.

(2) The portion of Mill Road secondly described in subsection *six* of this section is hereby declared to be closed, and the inclusion of that portion, as part of
30 Lot 4 on the said Deposited Plan number 12320, in certificate of title, Volume 486, folio 114, Canterbury Registry, is hereby validated.

(3) The portion of Mill Road thirdly described in subsection *six* of this section is hereby declared to be
35 closed, and the area comprised therein shall form part of the bed of Waimate Stream subject to any riparian rights appurtenant to the adjoining land.

(4) The portions of Rural Section number 4316 and the portion of the bed of Waimate Stream fourthly
40 described in subsection *six* of this section are hereby declared to be portions of a public road called Mill Road,

and the control thereof is hereby vested in the Waimate County Council and the delineation of those areas as road on the said Deposited Plan number 12320, and on all relevant certificates of title, is hereby validated.

(5) The District Land Registrar of the Land Registration District of Canterbury is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section. 5

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

Firstly, all those areas in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement twenty-four perches and one-tenth of a perch; one rood twelve perches and one-tenth of a perch; one rood four perches; and one perch and nine-tenths of a perch, being portions of Mill Road passing through Rural Section number 4316: as the same are more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 8396, and thereon coloured green. 15 20

Secondly, all that area in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement four-tenths of a perch, being portion of Mill Road passing through Rural Section number 4316: as the same is more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 8396, and thereon coloured green and bordered green. 25 30

Thirdly, all that area in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement eight perches and nine-tenths of a perch, being portion of Mill Road over the bed of Waimate Stream: as the same is more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under number 8396, and thereon coloured green and bordered green. 35 40

Fourthly, all those areas in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement two roods three perches and eight-tenths of a perch; 5 one rood eleven perches; and one perch and three-tenths of a perch, being portions of Rural Section number 4316 and portion of the bed of Waimate Stream: as the same are more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, 10 under number 8396, and thereon coloured red.

8. Whereas the lands described in subsection *six* of this section are reserved as endowments in aid of the borough funds for the benefit of the Borough of Campbelltown (now the Borough of Bluff): And whereas the 15 Bluff Borough Council (in this section referred to as the Council) has erected dwellinghouses on the said lands and has granted tenancies in respect of the same: And whereas the Council wishes to sell the buildings and other fixtures on the said lands to the tenants thereof 20 and also desires to grant the tenants leases of the lands tenanted by them without having to offer the leases by or for public auction, public tender, or public application: And whereas the Council has no power to carry out its wishes, and it is expedient to make provision enabling the Council to do so: Be it therefore enacted as 25 follows:—

(1) The lands described in subsection *six* of this section are hereby declared to be vested in the Corporation of the Borough of Bluff for the purposes of 30 endowments in aid of the general funds of that borough.

(2) The Council may grant leases of parts of the said lands to the existing tenants of any such parts by private treaty and without complying with the provisions of paragraph (a) of section one hundred and fifty-nine of 35 the Municipal Corporations Act 1933.

(3) It shall be lawful for the Council to require any person to whom it proposes to grant a lease under this section to purchase the buildings and other fixtures on the land concerned at such price as may be agreed upon 40 and on such conditions as to the payment of the purchase moneys and interest thereon as the Council thinks fit.

Granting the Bluff Borough Council special leasing powers over certain endowments.

1933, No. 30

(4) The powers conferred on the Council by this section shall be in addition to and not in substitution for any other powers of the Council relating to the leasing of lands held by the Corporation of the Borough of Bluff.

5

(5) The District Land Registrar for the Southland Land Registration District is hereby authorized and directed to deposit such plans, accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All that area in the Southland Land District, containing by admeasurement two acres one rood twenty-eight perches and eight-tenths of a perch, more or less, being Lots 1 to 12 inclusive, 14, 15, 21, and 22 on a plan deposited in the Land Registry Office at Invercargill under Number 4386, and being Section 5 and part of Section 4, Block V, and part of Section 1, Block XXV, Town of Campbelltown.

15

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9. Whereas by an Order in Council dated the thirteenth day of February, nineteen hundred and eleven, and published in the *Gazette* of the twenty-third day of that month, the control of certain reserves at Hanmer was vested in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908 to be administered under that Act: And whereas, by section one hundred and thirty of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921-22, the control of the said reserves was vested in the Minister of Health: And whereas it is expedient that portion of one of the said reserves be declared to be Crown land subject to the Land Act 1948: Be it therefore enacted as follows:—

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(1) The vesting of the control of the land described in subsection *two* of this section in the Minister of Health is hereby cancelled and the said land is hereby declared to be Crown land subject to the Land Act 1948.

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

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All that area situated in Hanmer Township, Block II, Lyndon Survey District, containing by admeasurement ten perches and one-tenth of a perch, more or less, being

Declaring
land in Hanmer
Township
subject to the
Tourist and
Health Resorts
Control Act
1908 to be
Crown land.

See Reprint
of Statutes,
Vol. VIII,
p. 605
1921, No. 59

1948, No. 64

part of Reserve 3780: as the same is more particularly delineated on the plan marked L. and S. 9/796/6, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (S.O. 5 Plan 8286).

10 10. Whereas the lands described in subsection *three* of this section are vested in the trustees for the time being of the will of James Gammack, late of Springston, in the Provincial District of Canterbury, farmer, 10 deceased, but without power of sale: And whereas the trustees desire to sell and dispose of the said lands and invest the proceeds arising from the sale in trust for the beneficiaries of the said will: And whereas it is expedient that provision be made in that behalf: Be it 15 therefore enacted as follows:—

Conferring certain powers on the Trustees of the late James Gammack.

(1) The trustees for the time being of the will of the said James Gammack, deceased, may, with the consent of the beneficiaries interested in the lands and with the approval of the Commissioner of Crown Lands for the 20 Canterbury Land District, sell the lands described in subsection *three* of this section and invest the proceeds of any such sales for the benefit of the beneficiaries under the said will.

(2) Subject to the consent of the said beneficiaries, 25 and to the approval of the said Commissioner, any such lands may be sold either in one lot or in several lots by public auction or by private contract upon such terms as to payment of purchase money and subject to such stipulations as to title or otherwise as the aforesaid 30 trustees shall think fit, with power for the said trustees to buy in or rescind or vary contracts for sale and to resell without responsibility for loss.

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

35 Firstly, all that area situated in Block VIII, Leeston Survey District, containing by admeasurement three acres three roods and thirty-eight perches, more or less, being Lot 7 on the plan deposited in the Land Registry Office at Christchurch under Number 11913, being part of 40 Rural Section Number 3043, and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry.

Secondly, all that area situated in Block VIII, Leeston Survey District, containing by admeasurement seven acres two roods and fifteen perches, more or less, being Lot 12 on the plan deposited in the Land Registry Office at Christchurch under Number 5565, being part of Rural Section Number 3043, and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry. 5

Declaring certain land in Block X Orahiri Survey District to be Crown land subject to the Land Act 1948. See Reprint of Statutes, Vol. VIII, p. 605

11. Whereas by Order in Council dated the nineteenth day of August nineteen hundred and eight and published in the *Gazette* of the twenty-seventh day of that month, the control of certain scenic reserves in Orahiri Survey District was vested in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908, and it was declared that the said reserves should be administered under that Act: And whereas it is no longer desirable or necessary that the portion of one of the said scenic reserves more particularly described in subsection *three* of this section should be administered under the said Act nor has the said portion any scenic value: And whereas it is desirable that the said portion of scenic reserve should be made Crown land subject to the Land Act 1948: Be it therefore enacted as follows:— 10 15 20

1948, No. 64

(1) The vesting in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908 of the control of the land described in subsection *three* of this section is hereby cancelled. 25

(2) The reservation of the said land for scenic purposes is hereby revoked and the land is hereby declared to be Crown land subject to the Land Act 1948. 30

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

All that area in the South Auckland Land District, Waitomo County, containing by admeasurement fifty-five acres, more or less, being part of Section 6 of Block X, Orahiri Survey District: as the same is more particularly delineated on the plan marked L. and S. 4/156B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland S.O. plan 34626.) 35 40

12. Whereas the lands described in subsection *three* of this section are vested in the Corporation of the City of Christchurch and form portion of the Sydenham Cemetery: And whereas the said lands are not required for cemetery purposes: And whereas it is desirable to empower the Christchurch City Council to sell the said lands: Be it therefore enacted as follows:—

Authorizing the Christchurch City Council to sell certain lands.

(1) Notwithstanding anything to the contrary in the Cemeteries Act 1908, or in any other Act, the Christchurch City Council may sell the lands described in subsection *three* of this section or any part of parts thereof in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any of the said lands any trust, reservation, or restriction theretofore affecting the same shall be deemed to be cancelled.

See Reprint of Statutes, Vol. I, p. 731

(2) The District Land Registrar for the Canterbury Land Registration District is hereby authorized and directed, on the deposit of such plan or plans as he may require, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All those areas in the Canterbury Land District, City of Christchurch, containing a total area of one rood thirty-two perches and five-tenths of a perch, more or less, being parts of Rural Section 154 and being parts of the land comprised and described in certificate of title, Volume 202, folio 292, Canterbury Registry: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at Christchurch under number 8412, and thereon coloured red and blue.

13. Whereas the lands described in subsection *six* of this section are portions of the Grey Lynn Domain and are vested in the Corporation of the City of Auckland under the provisions of the Grey Lynn Domain Vesting Act 1909 for the purposes of public recreation and enjoyment: And whereas the land firstly described in the said subsection is not required for the purposes for which it is held and it is expedient to make provision enabling the Auckland City Council to sell that land subject to a condition that the proceeds thereof

Authorizing the Auckland City Council to sell portion of Grey Lynn Domain and declaring another portion of the said domain to be public street.
1909 (Local), No. 36

shall be applied towards the maintenance and improvement of the residue of the land held by the said Corporation under the provisions of the Grey Lynn Domain Vesting Act 1909: And whereas it is desirable to declare the land secondly described in the said subsection to be held for the purposes of a public street: Be it therefore enacted as follows:— 5

(1) The land firstly described in subsection *six* of this section is hereby declared to be vested in the Corporation of the City of Auckland freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same. 10

(2) The Auckland City Council may from time to time sell the whole or any parts of the said land firstly described by private treaty or otherwise. Any such sale or sales may be for cash or upon such terms and conditions as the Council thinks fit. 15

(3) The proceeds of the sale of any of the said lands firstly described shall, after payment thereof of any costs connected with the sale, be applied by the Council towards the maintenance or improvement of other lands held under the provisions of the Grey Lynn Domain Vesting Act 1909. 20

(4) All trusts, reservations, and restrictions heretofore affecting the land secondly described in subsection *six* of this section are hereby cancelled and that land is hereby declared to be vested in the Corporation of the City of Auckland for the purposes of a public street. 25

(5) The District Land Registrar for the Auckland Land Registration District is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section. 30

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

Firstly, all that area in the North Auckland Land District situated in Block XVI, Waitemata Survey District, containing by admeasurement thirty-eight perches and eight-tenths of a perch, more or less, being Lots 19 and 20, Block 74 on a plan deposited in the Land Registry Office at Auckland under Number 1720, and being portion 40

of Allotment 40, Section 8, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 165, folio 140, Auckland Registry: as the same is more particularly delineated on the plan marked L. and S. 1/287, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (S.O. Plan 36823).

Secondly, all that area in the North Auckland Land District situated in Block XVI Waitemata Survey District containing by admeasurement nineteen perches and four-tenths of a perch, more or less, being portion of a closed street and being part of the land comprised and described in certificate of title, Volume 165, folio 140, Auckland Registry: as the same is more particularly delineated on the plan marked L. and S. 1/287, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow.

14. Whereas the lands described in subsection *five* of this section (in this section referred to as the said lands) are vested in His Majesty the King for recreation purposes subject to Part II of the Public Reserves, Domains, and National Parks Act 1928 and form the Newmarket Domain: And whereas the Newmarket Borough Council has been appointed the Domain Board having control thereof and has constructed a swimming pool structure on part of the said lands: And whereas for the better management and enlargement of the said swimming pool structure it is expedient that the said lands be vested in the Corporation of the Borough of Newmarket subject to certain conditions, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same: Be it therefore enacted as follows:—

(1) The said lands are hereby declared to be vested in the Corporation of the Borough of Newmarket in trust for municipal purposes without power of sale but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.

(2) That portion of the said lands hereby vested in the Corporation of the Borough of Newmarket as is described secondly in subsection *five* of this section shall be maintained and administered by the Newmarket

Vesting the Newmarket Domain in the Corporation of the Borough of Newmarket subject to certain trusts.

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

Borough Council as an open recreation space for the use, benefit, and enjoyment of the public generally, and the said Newmarket Borough Council shall accordingly have no power to erect any building or other structure on the said land that would be likely to interfere with the use of that portion as an open recreation space as aforesaid. 5

(3) Subject to the provisions of this section, the said Newmarket Borough Council shall have and may exercise in respect of the said lands all the powers conferred by the Municipal Corporations Act 1933. 10

1933, No. 30

(4) The District Land Registrar for the Auckland Land Registration District is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section. 15

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

Firstly, all that area in the North Auckland Land District, Borough of Newmarket, situated in Block VIII, Rangitoto Survey District, containing by admeasurement three roods seventeen perches and seven-tenths of a perch, more or less, being part Allotments 32 and 39 of Section 4, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 6, folio 181, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 36943, and thereon bordered red. 20 25

Secondly, all that area in the North Auckland Land District, Borough of Newmarket, situated in Block VIII, Rangitoto Survey District, containing by admeasurement one rood fourteen perches and sixty-seven hundredths of a perch, more or less, being part of Allotments 32 and 39 of Section 4, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 6, folio 181, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 36943, and thereon bordered yellow. 30 35

15. Whereas the lands described in subsection *five* of this section are vested in the Corporation of the Borough of Palmerston as reserves for the purposes referred to in the said subsection: And whereas the Palmerston Borough Council (in this section referred to as the Council) has granted leases in respect of parts of the said lands: And whereas the leases purport to confer certain rights to successive renewals thereof: And whereas the Council has no power to grant leases containing those rights in respect of the said lands: And whereas it is expedient that the leases granted by the Council be validated and that the Council be granted additional leasing powers in respect of the said lands: Be it therefore enacted as follows:

Validating certain leases and extending the leasing powers of the Palmerston Borough Council in respect of certain lands.

15 (1) All leases in respect of the lands described in subsection *five* of this section, or in respect of any parts of any such lands, granted heretofore by the Council and all rights of way granted or reserved in connection therewith are hereby declared to be and to have been valid and binding and of full force and effect according to their tenor.

(2) The registration of any of the said leases under the Land Transfer Act 1915 is hereby validated.

See Reprint of Statutes, Vol. VII, p. 1161

25 (3) Notwithstanding anything to the contrary in any Act or rule of law, the Council shall have, in respect of the lands described in subsection *five* of this section, all powers of leasing and other powers set forth in sections one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, and one hundred and sixty-two of the Municipal Corporations Act 1933.

1933, No. 30

30 (4) The District Land Registrar for the Otago Land Registration District is hereby authorized and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All those areas in the Otago Land District being—

40 Firstly, all that area situated in the Palmerston Borough containing one rood, more or less, and being Section 15, Block XVII, Town of Palmerston, and being

all the land comprised and described in certificate of title, Volume 96, folio 176, Otago Registry (S.O. Plan 756TN); being reserved as a site for Borough Council offices.

Secondly, all that area situated in the Waihemo 5
County containing eight hundred and fifty-nine acres two roods more or less, being Section 8, Block VI, Dunback Survey District, and being all the land comprised and described in certificate of title, Volume 96, folio 73, Otago Registry (S.O. Plan 421); being reserved 10
for the purposes of the Palmerston Free Library.

Thirdly, all that area situated in the Palmerston Borough containing five acres and two perches, more or less, being Section 18, Block XXXIII, Town of Palmerston, and being all the land comprised and 15
described in certificate of title, Volume 12, folio 192, Otago Registry (S.O. Plan 758TN); being reserved for a public market.

Fourthly, all those areas situated in the Palmerston Borough containing together ninety-six acres one rood 20
twenty-eight perches and two-tenths of a perch, more or less, being Sections 16, 17, 19, 22, 23, 24, 25, 26, and Part Sections 20 and 21, Block XXXIII, Town of Palmerston, and being the balance of the land comprised and described in certificate of title, Volume 46, folio 57, 25
Otago Registry (S.O. Plan 758TN); being reserved for a public pound, cattle yards, and other municipal purposes.

Vesting
portion of a
scenic reserve
and an area of
Crown land
in the
Corporation
of the City of
Auckland as
water supply
reserves.

See Reprint
of Statutes,
Vol. VIII,
p. 613
1948, No. 64

16. Whereas the land firstly described in subsection *three* of this section is vested in His Majesty and is 30
portion of a reserve for scenic purposes under and subject to the provisions of the Scenery Preservation Act 1908: And whereas the land secondly described in subsection *three* of this section is Crown land subject to the Land Act 1948: And whereas it is desirable that the said lands be vested in the Corporation of the City 35
of Auckland in trust as reserves for water supply purposes. Be it therefore enacted as follows:—

(1) The land firstly described in subsection *three* of this section is hereby declared to be no longer set apart for scenic purposes under the provisions of the Scenery 40
Preservation Act 1908, and that land is hereby vested in the Corporation of the City of Auckland in trust as

a reserve for water supply purposes subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928.

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

(2) The land secondly described in subsection *three* of this section is hereby reserved for water supply purposes and vested in the Corporation of the City of Auckland in trust for those purposes subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928.

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

All those areas in the North Auckland Land District, Franklin County, being—

Firstly, all that area situated in Block II, Opaheke Survey District, containing by admeasurement sixty-seven acres and three roods, more or less, being part of Allotments 48, 49, and 50, Otau Parish: as the same is more particularly delineated on the plan marked L. and S. 4/450, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured yellow (S.O. Plan 36021).

Secondly, all that area situated in Blocks II and III, Opaheke Survey District, and Blocks XII and XIII, Wairoa Survey District, containing by admeasurement two hundred and thirty-three acres, more or less, being part Allotment 67, Otau Parish: as the same is more particularly delineated on the plan marked L. and S. 4/450, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured sepia (S.O. Plan 36021).

17. Whereas the registered proprietor of the land described in subsection *three* of this section is the Te Rau-a-moa Co-operative Dairy Company, Limited (in this section referred to as the company): And whereas the company went into voluntary liquidation in the year nineteen hundred and twelve: And whereas the name of the company was struck off the Register of Companies under the provisions of section two hundred and sixty-six of the Companies Act 1908 in the year nineteen hundred and twenty-six; And whereas prior to the company being struck off the Register as aforesaid its assets were sold to the Oparau Co-operative

Vesting
certain land
in the Te Rau
a moa Hall
Society
(Incorporated)

See Reprint
of Statutes,
Vol. III,
p. 922

Dairy Company, Limited, but no transfer of the said land to that company was registered: And whereas that last mentioned company entered into an agreement for the sale of the said land to the Te Rau a moa Hall Society (Incorporated), a society duly incorporated under the Incorporated Societies Act 1908, and having its registered office at Te Rauamoa (in this section referred to as the society): And whereas certain moneys were paid pursuant to the agreement, but a sale was never finalized: And whereas the society has dealt with the land as if it were the owner thereof for many years and has maintained a building situated thereon as a hall for the benefit of the inhabitants of the locality: And whereas it is desirable that the said land be vested in the society: Be it therefore enacted as follows:—

(1) The land described in subsection *three* of this section is hereby declared to be vested in the society for an estate in fee simple freed and discharged from all liens, encumbrances, interests, and restrictions (if any) heretofore affecting the same.

(2) The District Land Registrar for the Auckland Land Registration District is hereby authorized and directed, on application being made to him in that behalf, and on payment of the appropriate fees, to cancel the existing certificate of title in respect of the said land, and to issue a new certificate of title thereover in the name of the society, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All that area in the South Auckland Land District, containing by admeasurement three roods and thirty-six perches, more or less, being Section 5A of Block IX, Pirongia Survey District, and being the whole of the land comprised and described in certificate of title, Volume 243, folio 53, Auckland Registry.

18. Whereas by the Grey Lynn Domain Vesting Act 1909 the area of tidal land described in subsection *three* of this section was vested in the Corporation of the Borough of Grey Lynn: And whereas the Borough of Grey Lynn is now merged in the City of Auckland and the said land is now vested in the Corporation of

Authorizing
the Auckland
City Council
to reclaim
certain land
from the sea.
1909 (Local),
No. 36

that City: And whereas, pursuant to the said Act, the Auckland City Council (in this section referred to as the Council) is empowered to do all such things as may be requisite for the purpose of maintaining, ornamenting, laying out, and managing the said land: And whereas the Council desires to reclaim the said land from the sea, but doubts have arisen as to its powers to undertake that work: And whereas it is desirable that the Council be empowered to reclaim the said land as aforesaid: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Harbours Act 1950 or in any other Act or rule of law, the Council is hereby authorized and empowered to reclaim from the sea the land described in subsection *three* of this section, and the reclamation may be carried out without the necessity of complying with any provision of the Harbours Act 1950 relating to the reclamation of land from the sea.

1950, No. 24

(2) For the purposes of the Harbours Act 1950 this section shall be deemed to be a special Act.

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

All that area in the North Auckland Land District, situated in Block XVI, Waitemata Survey District, containing by admeasurement twenty-eight acres one rood and fourteen perches, more or less, being Allotment 21 of Section 9, Suburbs of Auckland, and being the whole of the land comprised and described in certificate of title, Volume 165, folio 87, Auckland Registry: as the same is more particularly delineated on the plan marked M.D. 9292, deposited in the Head office of the Marine Department at Wellington, and thereon bordered red (S.O. Plan 15262).

19. Whereas by an Order in Council dated the nineteenth day of March, nineteen hundred and forty-seven, and published in the *Gazette* of the twenty-seventh day of that month, the land described in subsection *three* of this section was vested in the Corporation of the Borough of Arrowtown in trust for municipal purposes under the Public Reserves, Domains, and National Parks Act 1928: And whereas the said vesting was in compensation for the taking by the Crown, under the Public Works Act 1928, of certain land previously held by the said Corporation in trust as an endowment for the municipality of Arrowtown: And whereas the

Declaring certain land to have been granted to the Corporation of the Borough of Arrowtown as an endowment. See Reprint of Statutes, Vol. VI, p. 1134 Ibid., Vol. VII, p. 622

Arrowtown Borough Council has dealt with the said land described in subsection *three* of this section as if that land had been vested in it in trust as endowment land and in particular has granted leases in respect of portions of the said land which purport to confer certain rights to successive renewals thereof: And whereas doubts have arisen as to the validity of those leases: And whereas, to resolve those doubts, it is expedient to declare the said land to have been granted in trust as an endowment: Be it therefore enacted as follows:—

(1) All trusts, reservations, and restrictions heretofore affecting the land described in subsection *three* of this section are hereby revoked and the said land shall be deemed for all purposes to have been granted to the Corporation of the Borough of Arrowtown, from the nineteenth day of March, nineteen hundred and forty-seven, in trust for the purposes of an endowment in aid of the funds of the Borough of Arrowtown.

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

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

All that area in the Otago Land District, Borough of Arrowtown, containing by admeasurement one acre twenty-eight perches and sixty-four hundredths of a perch, more or less, being Sections 1, 2, 9, 10, and 11 of Block III, Town of Arrowtown, the said land being the whole of that comprised and described in certificate of title, Volume 327, folio 247, Otago Registry.

Authorizing
the Gisborne
Borough
Council to sell
certain land.

20. Whereas the lands described in subsection *four* of this section are vested in the Corporation of the Borough of Gisborne for the purposes of an endowment for the improvement and benefit of the Township of Gisborne: And whereas it is expedient to empower the Gisborne Borough Council to sell the said lands and apply the proceeds thereof in the manner hereinafter provided: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Gisborne Borough Council may sell the lands described in subsection *four* of this section

or any part or parts thereof, in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any such land all trusts, reservations, and restrictions theretofore affecting the same shall be deemed to be cancelled.

(2) The net proceeds from the sale of the said lands shall be paid into a separate account and be applied in or towards the cost of purchasing land for municipal purposes or the erection or construction of buildings, improvements, or amenities of any kind on land controlled by the Gisborne Borough Council or vested in the Corporation of the Borough of Gisborne.

(3) The District Land Registrar for the Gisborne Land Registration District is hereby authorized and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All those areas in the Borough of Gisborne, Gisborne Land District, containing by admeasurement ten acres two roods and one perch, more or less, being Sections 62A, 63A, 64A, 65A, 66A, 67A, 68A, 69A, and 70A, Town of Gisborne, and being the whole of the land comprised and described in certificate of title, Volume 76, folio 70, Gisborne Registry.

21. Whereas by a warrant issued pursuant to sections thirty-seven and thirty-eight of the Land Act 1877 Amendment Act 1884, dated the twentieth day of December, eighteen hundred and eighty-four, and published in the *Gazette* of the twenty-fourth day of that month, the land described in subsection *four* of this section was reserved for an endowment in aid of the Town Board funds for the benefit of the Town of Stratford: And whereas the said land is now vested in the Corporation of the Borough of Stratford: And whereas it is expedient to empower the Stratford Borough Council to sell the said land by private contract and apply the proceeds thereof towards the purchase of other land to be held for endowment purposes: Be it therefore enacted as follows:—

Authorizing
the Stratford
Borough
Council to sell
certain land.
1884, No. 34

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Stratford Borough Council may sell the land described in subsection *four* of this section by private treaty, in such manner, on such terms, and subject to such conditions as it thinks fit and on the sale all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled. 5

(2) The net proceeds from the sale of the said land shall be applied in or towards the purchase of other land to be held by the Corporation of the Borough of Stratford in trust as an endowment in aid of the borough funds. 10

(3) The District Land Registrar for the Taranaki Land Registration District is hereby authorized and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section. 15

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

All that area in the Taranaki Land District, Borough of Stratford, containing by admeasurement one rood and three perches, more or less, being Section 816, Town of Stratford, and being part of the land comprised and described in certificate of title, Volume 70, folio 116, Taranaki Registry. 20 25

22. Whereas the Minister of Works, on behalf of His Majesty the King, proposes to acquire from the Corporation of the City of Wanganui, under the Public Works Act 1928, that portion of an endowment referred to in subsection *three* of this section in aid of the funds of the City of Wanganui, together with portion of an unformed street adjacent thereto: And whereas it is desirable to make provision for the payment of the compensation moneys in respect of the acquisition of the aforesaid lands direct to the Wanganui City Council and also to make provision for the application of those moneys: Be it therefore enacted as follows: — 30 35

(1) Notwithstanding anything to the contrary in the Public Works Act 1928, the said compensation moneys may be paid direct to the Wanganui City Council, and the Council's receipt therefor shall be a valid and complete discharge of liability for compensation. 40

Making special provision in regard to certain compensation moneys to be paid to the Wanganui City Council.
See Reprint of Statutes, Vol. VII, p. 622

(2) A portion of the compensation moneys, amounting to one thousand pounds, representing the value of the land (exclusive of any improvements) shall be paid by the Wanganui City Council into a separate
5 account and be applied, with the consent of the Minister of Lands, either towards the purchase of land for municipal purposes or for the improvement of land used by the public for recreation purposes. The remainder of the said compensation moneys shall be paid
10 by the said Wanganui City Council into its general account and be applied for such purposes as the Council thinks fit.

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

15 All that area in the City of Wanganui, containing two roods twenty perches, more or less, which is shown as Lots 5 and 6 on Deeds Plan 237, being part Reserve L of the Town of Wanganui, and being part of the land in certificate of title, Volume 509, folio 29, (limited as to
20 parcels and title) Wellington Registry.

23. Whereas the lands described in subsection *two* of this section are set apart as permanent State forest land and are subject to the Forests Act 1949: And whereas the said lands are not required as State forest
25 land, and it is desirable that they should be declared Crown land subject to the Land Act 1948: Be it therefore enacted as follows:—

Declaring
lands subject
to the Forests
Act 1949 to be
Crown land
subject to the
Land Act 1948.
1949, No. 19
1948, No. 64

(1) The setting apart of the lands described in subsection *two* of this section as permanent State forest
30 land is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948.

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

35 Firstly, all that area in the Kaitieke County, Wellington Land District, containing by admeasurement six acres one rood thirty-five perches and five-tenths of a perch, more or less, being Sections 3, 4, 5, 6, 7, 8, 9, and 11 of Block V, Town of Kakahi, situated in Block VI, Hunua Survey District (Wellington S.O. Plan
40 16929).

Secondly, all that area in the Southland Land District containing by estimation two thousand and five hundred acres, more or less, inclusive of roads, tramway reserve, and streams, and bounded as follows:—

Commencing at the south-western corner of Section 5
 4, Block XXI, Jacobs River Hundred; thence in an
 easterly direction along the southern boundary of the
 said Section 4 and that boundary produced to the left
 bank of the Pourakino River; thence in a southerly
 direction generally by the left bank of the Pourakino 10
 River, to a point in line with the western boundary of
 Section 26, Ermedale Settlement, Block XIII, Jacobs
 River Hundred; thence southerly to and along the
 western boundary of the said Section 26, across the
 Pourakino River and a road reserve, and along the 15
 western boundary of Section 21, Ermedale Settlement
 aforesaid, to the south-western corner thereof; thence
 westerly along the northern side of a public road
 forming the northern boundary of Part Section 1 and
 Section 37, Block XIX, Jacobs River Hundred, to 20
 Pourakino Road; thence north-westerly along the north-
 eastern side of Pourakino Road to a point in line with
 the northern boundary of the aforesaid Section 37; thence
 south-westerly to and along the northern boundary of
 the aforesaid Section 37 for a distance of 4180 links; 25
 thence through Sections 19 and 17, Block XX, Jacobs
 River Hundred, north-westerly by a right line on a
 bearing of $329^{\circ} 27'$ for a distance of 5160 links, and
 south-westerly generally by right lines on a bearing of
 $239^{\circ} 27'$ for a distance of 1071.7 links, on a bearing of 30
 $149^{\circ} 27'$ for a distance of 1494.0 links, on a bearing of
 $162^{\circ} 03'$ for a distance of 194.8 links, on a bearing of
 $239^{\circ} 27'$ for a distance of 1070 links, on a bearing of
 $149^{\circ} 27'$ for a distance of 1755.9 links, on a bearing of
 $59^{\circ} 26' 50''$ for a distance of 473.1 links on a bearing 35
of $149^{\circ} 26' 50''$ for a distance of 601 links and on a
bearing of $239^{\circ} 26' 50''$ for a distance of 700 links, to
the eastern boundary of Section 16, Block XX aforesaid;
thence north-westerly along the eastern boundary of the
aforesaid Section 16 to Cascade Road; thence westerly 40
generally, along the southern side of Cascade Road to a
point in line with the eastern boundary of Section 9,
Block XX aforesaid; thence north-westerly to and along

the eastern boundary of the aforesaid Section 9 to the south-western corner of Section 10, Block XX aforesaid; thence north-easterly along the southern boundary of the aforesaid Section 10, to and across a tramway
5 reserve and the Pourakino Road to the eastern side thereof; thence northerly generally along the eastern side of the Pourakino Road to the point of commencement. Excepting from the above description the public road known as Pourakino Road: as the same is more
10 particularly delineated on the plan marked L. and S. 22/2053A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

Thirdly, all that area in the Westland County,
15 Westland Land District, containing by admeasurement six acres, more or less, situated in Block VII, Bruce Bay Survey District, being part of State Forest Reserve Number 1685, and being also part of Section 2650, bounded as follows:—

20 Commencing at the most easterly corner of Section 780; thence by a right line to a point on the south-eastern boundary of Section 2650 in line with the northern corner of Section 890; thence south-westerly and north-westerly along the south-eastern and south-
25 western boundaries of Section 2650 aforesaid to the point of commencement: as the same is more particularly delineated on the plan marked L. and S. 10/98/119A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered
30 red.

Fourthly, all that area in the Piako County, South,
Auckland Land District, situated in Blocks III, IV, VII, and VIII, Hapuakohe Survey District, containing by
35 admeasurement thirty-seven acres two roods and thirty-four perches, more or less, being parts of Hōe-o-Tainui North Numbers 6B 2J 1 and 6B 2J 2 Blocks: as the same is more particularly delineated on the plan marked L. and S. 21/130, deposited in the Head Office, Department
of Lands and Survey, at Wellington, and thereon
40 bordered red. (Auckland S.O. Plan 34922.)

Fifthly, all that area in the Clifton County, Taranaki, Land District, containing by admeasurement one rood seventeen perches and eight-tenths of a perch, more or less, being part of Section 10, Block IV, Mimi Survey District: as the same is more particularly delineated on the plan marked L. and S. 10/94/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Taranaki S.O. Plan 8473.) 5

Sixthly, all that area in the Taupo County, Wellington Land District, situated in Blocks VIII and XII, Pihanga Survey District, containing twelve hundred acres approximately, and being part of Hautu 5B 2A Block: as the same is more particularly delineated on the plan marked L. and S. 10/92/82A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 10 15

Seventhly, all that area in the Thames County, South Auckland Land District, containing by admeasurement ninety-two acres three roods twenty-three perches and six-tenths of a perch, more or less, being parts of Whangamata Number 2 Block and now known as Sections 32, 33, and Part 31, Block XVI, Tairua Survey District: as the same is more particularly delineated on the plan marked L. and S. 22/1432/29, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland S.O. Plan 34594.) 20 25

Amending
section 15 of
the Reserves
and Other
Lands Disposal
Act 1941 (as
to expenditure
of trust funds
by trustees of
will of the late
Sir John
Logan
Campbell).
1941, No. 21

24. Whereas by Section fifteen of the Reserves and Other Lands Disposal Act 1941 the trustees of the will of the late Sir John Logan Campbell were authorized and empowered to expend from the trust funds held by them the sum of two thousand pounds in the construction and tar sealing of a roadway and footpath from the roadway through the One Tree Hill Domain to the obelisk on One Tree Hill: And whereas this work has not been done and the said money has not been expended: And whereas it is now proposed to construct the roadway and footpath in more permanent form and to higher 30 35

standards, and it is desired to increase the amount which the trustees may expend on those works: Be it therefore enacted as follows:—

Section fifteen of the Reserves and Other Lands Disposal Act 1941 is hereby amended by omitting the words “two thousand pounds”, and substituting the words “sixteen thousand pounds”.

25. Whereas, for the purpose of facilitating the delivery to the Railways Department and other Departments of State, of supplies of certain iron and steel products, His Majesty the King, acting by and through the Minister of Industries and Commerce (in this section referred to as the Minister), of the one part, and the Otago Iron Rolling Mills Company, Limited, a company incorporated in New Zealand and having its registered office at Green Island (in this section referred to as the company), of the other part, have entered into and executed a certain agreement dated the sixteenth day of November, nineteen hundred and fifty-one, which agreement makes provision for the purchase by the Crown of certain land, chattels, and other property of the company, and for the granting to the company by the Crown of a licence for the use of that land and for the use and operation of certain machinery, plant, and other property of the Crown, and for various incidental matters: And whereas it is desirable that the said agreement should be validated: Be it therefore enacted as follows:—

Validating an agreement between His Majesty the King and the Otago Iron Rolling Mills Company, Limited.

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Minister shall be deemed for all purposes to have and to have had all powers and authorities necessary to enter into and execute the said agreement and to do all things requisite for the carrying out of the terms and conditions thereof, and to execute the necessary documents to give effect to that agreement.

(2) The said agreement is hereby confirmed and validated and declared binding in all respects on the parties thereto, and shall have full force and effect according to its tenor.

26. Whereas the land described in subsection *three* of this section, being the bed of Lake Waiatarua, together with other lands surrounding the said lake, was, by deed of conveyance dated the ninth day of August, nineteen hundred and eighteen, and registered in the

Vesting the bed of Lake Waiatarua in the Corporation of the City of Auckland.

See Reprint
of Statutes,
Vol. VII,
p. 1253
1933, No. 30

Deeds Registry Office at Auckland under Number 263659, purported to be vested in the Corporation of the City of Auckland (in this section referred to as the Corporation) for an estate in fee simple for the purposes of a public park and recreation ground, and whereas certificate of title, Volume 752, folio 250, Auckland Registry, for the land surrounding the said lake, has been issued under the provisions of the Land Transfer (Compulsory Registration of Titles) Act 1924 in the name of the Corporation for an estate in fee simple for the purposes of a public park and recreation ground under the Municipal Corporations Act 1933: And whereas doubts have arisen as to whether the bed of the said lake is vested in the Corporation, and it is desirable to resolve those doubts: Be it therefore enacted as follows:—

(1) The land described in subsection *three* of this section is hereby declared to be and to have been vested in the Corporation for an estate in fee simple for the purposes of a public park and recreation ground under the Municipal Corporation Act 1933.

(2) The District Land Registrar for the Auckland Land Registration District is hereby authorized and directed, upon application being made to him in that behalf, and upon payment of all necessary fees and the deposit of such plan or plans as he may require, to issue a certificate of title for the said land in the name of the Corporation and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All that area in the North Auckland Land District situated in Block II, Otahuhu Survey District, containing fifty-five acres and twenty perches, more or less, being the bed of Lake Waiatarua: as the same is more particularly delineated on the plan marked L. and S. 1/1299, deposited in the head office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland S.O. Plan 36937).

27. Whereas the lands described in subsection *six* of this section form portions of a public street in the Borough of Hokitika known as Revell Street: And whereas dwellinghouses and other improvements have been erected on the said lands by persons having no legal title to those lands: And whereas it is desirable to empower the Hokitika Borough Council (in this section referred to as the Council) to sell or lease the said lands as hereinafter provided: Be it therefore enacted as follows:—

Closing of portions of a public street in the Borough of Hokitika and making provision for the sale or leasing thereof.

(1) The portions of public street described in subsection *six* of this section are hereby declared to be closed and to be vested in the Corporation of the Borough of Hokitika freed and discharged from all rights of the public thereover as a public highway.

(2) The Council may subdivide the said lands and may, by private treaty, either sell the lots in any subdivision to the respective occupier or occupiers thereof, or to the person or persons appearing to the Council to be entitled to the buildings and other improvements erected thereon, for such consideration as it thinks fit, or the Council may grant leases of any such lots to any such occupier or person under Part XVI of the Municipal Corporations Act 1933, at such rental as it thinks fit, without, in either case, complying with the provisions of paragraph (a) of section one hundred and fifty-nine or section one hundred and ninety-four of that Act, or of section one hundred and twenty-eight of the Public Works Act 1928.

1933, No. 30

(3) The powers conferred on the Council by this section are in addition to and not in substitution for any other powers of the Council relating to the leasing of lands held by the Corporation of the Borough of Hokitika.

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

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

(5) The District Land Registrar for the Westland Land Registration District is hereby authorized and directed to deposit such plans, issue such certificates of title, accept such documents for registration, make such entries in the register books, and do all such other things as may be necessary to give effect to the provisions of this section.

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

All those areas in the Westland Land District, Borough of Hokitika, containing by admeasurement two acres thirty-six perches and five-tenths of a perch and one acre twenty-three perches and five-tenths of a perch, more or less, being portions of Revell Street, Town of Hokitika, situated in Block I, Kanieri Survey District: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at Hokitika under Number 4568, and thereon coloured green.

Declaring certain land in Block XIX, Invercargill Hundred, to be Crown land.

See Reprint of Statutes, Vol. III, p. 922

28. Whereas the certificate of title for the land described in subsection *four* of this section is in the name of the Clifton Woodend and Bluff Athletic Society, a society formerly registered under the Incorporated Societies Act 1908, and dissolved by the Registrar of Incorporated Societies on the twenty-first day of December, nineteen hundred and eleven: And whereas no use is being made of the said land, and certain works are to be undertaken which will improve and benefit the land: And whereas the Crown is desirous of acquiring the land in order that it may, as owner, contribute towards the cost of the proposed works and receive the benefit of the improvement of the said land due to those works: Be it therefore enacted as follows:—

(1) The land described in subsection *four* of this section is hereby declared to be vested in His Majesty as Crown land subject to the Land Act 1948.

1948, No. 64

(2) The District Land Registrar for the Southland Land Registration District is hereby authorized and directed to cancel the certificate of title for the said land.

(3) Any person claiming to have a legal or equitable interest in the said land immediately prior to the commencement of this Act shall, on proving his claim to the satisfaction of the Minister of Lands, be entitled to payment of compensation in respect of the taking of his interest.

(4) Any such compensation shall be paid from the Land Settlement Account and shall not exceed the value of the land as at the date of the commencement of this Act:

Provided that no payment of compensation shall be made under this section unless the claim for compensation is made within five years from that date.

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

All that area in the Southland Land District, containing by admeasurement nine acres two roods three perches and five-tenths of a perch, more or less, being Section 24, Block XIX, Invercargill Hundred, and being all the land comprised and described in certificate of title, Volume 135, folio 216 (limited as to title), Southland Registry.

29. Whereas the lands described in subsection *seven* of this section are vested in the Maori Trustee for an estate in fee simple as an endowment for Maori schools under the provisions of the Tauranga Educational Endowment Reserves Act 1896: And whereas other provision has now been made for the erection and maintenance of Maori schools and it is no longer necessary to retain the said lands as endowments and it is desirable that they should be declared Crown Land subject to the Land Act 1948: Be it therefore enacted as follows:—

Declaring certain endowment lands in the Tauranga district to be vested in His Majesty as Crown land subject to the provisions of the Land Act 1948.
1896, No. 38
1948, No. 64

(1) The lands described in subsection *seven* of this section are hereby declared to be no longer held for the purposes of an endowment for Maori schools and the said lands are hereby declared to be vested in His Majesty the King as Crown land under and subject to the provisions of the Land Act 1948 but subject to all leases, encumbrances, liens, and easements affecting the same.

(2) All rents, profits, proceeds, and other revenues accrued from the said lands and not applied in aid of Maori schools as provided by section seven of the Tauranga Educational Endowment Reserves Act 1896 shall, without further authority than this section, be paid into the Public Account and shall be credited to the Consolidated Fund.

(3) All leases over the whole or any part of the said lands shall be deemed to be made between His Majesty and the lessee named in the instrument of lease.

(4) The provisions of section one hundred and twenty-two, subsections one and two of section one hundred and twenty-five, and section one hundred and twenty-six of the Land Act 1948 shall, as far as they are the case of every lease which is in existence on the coming applicable, and with the necessary modifications, apply in 5
into force of this section over any part of the said lands and under which the lessee has a perpetual right of renewal.

(5) Every certificate of title in respect of any of the 10
lands vested in His Majesty pursuant to this section which is not subject to a registered lease current at the date of the coming into force thereof shall, without further authority than this section, be cancelled by the District Land Registrar. Where any such land is sub- 15
ject to a registered lease current at the said date, the District Land Registrar shall, without further authority than this section, make all necessary endorsements on the certificate of title in respect of the land, and the certifi- 20
cate shall enure in the name of His Majesty until the expiration or sooner determination of the lease and shall then be cancelled by the District Land Registrar.

(6) No cancellation of a certificate of title under the provisions of subsection *five* of this section shall in any way affect the rights of any person entitled to any lease, 25
encumbrance, lien, or easement, in existence at the time of cancellation, over the land comprised in any such certificate of title.

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

All those areas in the South Auckland Land District being—

Firstly, all that area in the Borough of Tauranga situated in Block X, Tauranga Survey District, con- 35
taining by admeasurement one rood thirty-nine perches and nine-tenths of a perch, more or less, being Lots 1, 2, and 3 as shown on the plan numbered 24445, deposited in the Auckland Land Registry Office, being Allotments 3 and 4 of Section 2, Town of Tauranga, and being the 40
whole of the land comprised and described in certificate of title, Volume 639, folio 159, Auckland Registry, subject to Memoranda of Lease, Numbers 15007, 15008, and 15009.

Secondly, all that area situated as aforesaid containing by admeasurement, one rood, more or less, being Allotment 193 of Section 2, Town of Tauranga.

5 Thirdly, all that area situated as aforesaid containing
by admeasurement twenty-four perches and nine-tenths
of a perch, more or less, being Lot 1 as shown on the plan
numbered 26977, deposited as aforesaid, being Allotment
72 of Section 1, Town of Tauranga, and being the whole
10 of the land comprised and described in certificate of title,
Volume 687, folio 41, Auckland Registry, subject to
Memorandum of Lease Number 16656.

15 Fourthly, all that area situated as aforesaid containing
by admeasurement one rood and twenty-four
perches, more or less, being Allotments 140 and 141 of
Section 1, Town of Tauranga, as shown on the plan
numbered 25532, deposited as aforesaid, and being the
whole of the land comprised and described in certificate
of title, Volume 661, folio 20, Auckland Registry, subject
to Memorandum of Lease Number 15661.

20 Fifthly, all that area situated as aforesaid containing
by admeasurement one acre three roods thirty-eight
perches and four-tenths of a perch, more or less, being
Lots 1, 2, 3, and 4 as shown on the plan numbered 29074,
deposited as aforesaid, being Allotments 702 and 703 of
25 Section 2, Town of Tauranga, and being the whole of the
land comprised and described in certificate of title,
Volume 669, folio 95, Auckland Registry, subject to
Memoranda of Lease Numbers 17656, 17657, 17658, and
17659.

30 Sixthly, all that area situated as aforesaid containing
by admeasurement one acre three roods thirty-nine
perches and eight-tenths of a perch, more or less, being
Lots 1, 2, 3, 4, 5, 6, 7, and 8 as shown on the plan numbered
30164, deposited as aforesaid, being Allotments 714 and
35 715 of Section 2, Town of Tauranga, and being the whole
of the land comprised and described in certificate of title,
volume 690, folio 161, Auckland Registry, subject
to Memoranda of Lease Numbers 19614, 19615, and 19616.

40 Seventhly, all that area situated as aforesaid containing
by admeasurement five acres and two roods, more
or less, being Allotment 50, Suburbs of Tauranga, as
shown on the plan numbered 25594, deposited as aforesaid,
and being the whole of the land comprised and

described in certificate of title, Volume 662, folio 32, Auckland Registry, subject to Memorandum of Lease Number 15751.

Eighthly, all that area in the Tauranga County situated in Block X, Tauranga Survey District, containing by admeasurement ninety-seven acres two roods and twenty perches, more or less, being Lots 1, 3, and 4 as shown on the plan numbered 30217, deposited as aforesaid, being part of Allotment 114, Te Papa Parish, and being the whole of the land comprised and described in certificate of title, Volume 747, folio 284, Auckland Registry, subject to Memoranda of Lease Numbers 18470 and 18471. 5 10

Ninthly, all that area situated as aforesaid containing by admeasurement fifty-six acres and fifteen perches, more or less, being Lots 1 and 2 as shown on the plan numbered 25466, deposited as aforesaid, being Allotment 14, Te Papa Parish, and being the whole of the land comprised and described in certificate of title, Volume 659, folio 217, Auckland Registry, subject to Memorandum of Lease Number 15632. 15 20

Repeals.
1896, No. 38
1902 (Local),
No. 30
1923, No. 35
See Reprint
of Statutes,
Vol. VI, p. 391

(8) Sections one, three, five, six, and seven of the Tauranga Educational Endowment Reserves Act 1896, and the Schedules to that Act, the Tauranga Educational Endowment Reserves Act 1902, section thirty-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1923, section thirty-nine of the Maori Trustee Act 1930, and the First Schedule to that Act, are hereby repealed. 25

(9) This section shall come into force on the first day of March nineteen hundred and fifty-two. 30

Closing a
riverbank road
in Block XI,
Ohinewairua
Survey
District.
See Reprint
of Statutes,
Vol. VII, p. 622
1948, No. 64

30. Whereas the land described in subsection *two* of this section is a legal road abutting the Moawhango River: And whereas section one hundred and forty-seven of the Public Works Act 1928 provides that no road along the bank of a river shall be closed with or without the consent of the owners of lands in the vicinity of the road: And whereas it is desirable that the said area of road should be closed and declared to be Crown land subject to the Land Act 1948: Be it therefore enacted as follows:— 35 40

(1) Notwithstanding anything to the contrary in the Public Works Act 1928, or in any other Act, the area of road described in subsection *two* of this section is hereby closed and declared to be Crown land subject to the Land Act 1948.

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

All that area in the Wellington Land District, Rangitikei County, containing by admeasurement one acre two roods and thirty-seven perches, more or less, adjoining Part Awarua 2c 15 Block and road to be closed shown on S.O. plan 22097, situated in Block XI, Ohinewairua Survey District: as the same is more particularly delineated on the plan marked L. and S. 36/1610, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured green (S.O. plan 22447).

31. Whereas the lands described in the Schedule to this Act are vested in the Corporation of the Borough of Patea either for town purposes or for town improvement purposes: And whereas the Patea Borough Council Empowering Act 1930 empowers the Patea Borough Council (in this section referred to as the Council) to lease the said lands with or without a perpetual right of renewal: And whereas for the better development of the borough it is desirable that the Council be empowered to sell the said lands and apply the proceeds thereof in the manner hereinafter provided: Be it therefore enacted as follows:—

Authorizing
the Patea
Borough
Council to
sell certain
lands.
1930 (Local),
No. 14

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Council is hereby authorized and empowered to sell the lands described in the Schedule to this Act in the manner authorized by section four of the Patea Borough Council Empowering Act 1930, and the Second Schedule to that Act shall be deemed to be amended by the addition thereto of the descriptions in the Schedule to this Act, and the provisions of the Patea Borough Council Empowering Act 1930, as far as they are applicable, shall apply to the said lands and the proceeds of any sale of those lands.

(2) The District Land Registrar for the Taranaki Land Registration District is hereby authorized and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.

SCHEDULE

Section 31

DESCRIPTION OF LAND IN PATEA BOROUGH AUTHORIZED
TO BE SOLD BY PATEA BOROUGH COUNCIL

Particulars of Sections.	Area.	Certificate of Title Reference (Taranaki Registry).
Town of Patea		
Section 4, Block XXXVIII	A. R. P. 0 1 0	Part Vol. 80, fol. 146.
Lots 1 and 2 of Section 3, Block XIX, as shown on D.P. 55	0 1 0	Part Vol. 169, fol. 7.
Lots 1 and 2 of Section 4, Block XIX, as shown on D.P. 55	0 1 0	Part Vol. 169, fol. 7.
Lot 1 of Section 2, Block XXXVI, as shown on D.P. 1117	0 0 10·8	Part Vol. 1, fol. 257.
Lot 2 of Section 2 Block XXXVI, as shown on D.P. 1117	0 0 9·2	Part Vol. 1, fol. 257.
Lot 4 of Section 2, Block XXXVI, as shown on D.P. 1117	0 0 18·1	Part Vol. 1, fol. 257.
Lot 1 of Section 1, Block XL, as shown on D.P. 1117	0 0 15·7	Part Vol. 165, fol. 116.
Lot 5 of Sections 2 and 3, Block XL, as shown on D.P. 1117	0 0 7·3	Part Vol. 165, fol. 116.
Lot 6 of Section 3, Block XL, as shown on D.P. 1117	0 0 20·4	Part Vol. 165, fol. 116.
Lots 9 and 10 of Section 4, Block XL, as shown on D.P. 1117	0 0 30·1	Part Vol. 165, fol. 116.
Lot 18 of Sections 8 and 9, Block XL, as shown on D.P. 1337	0 0 22·4	Part Vol. 132, fol. 197.
Section 15, Block XL, as shown on D.P. 1337	0 1 12	Part Vol. 139, fol. 101.
Sections 1, 2, 3, 8, 9, 10, 11, 12, Block XXVIII	2 0 0	Vol. 1, fol. 243.
Section 5, Block VIII	0 1 0	Part Vol. 1, fol. 234.
Section 3, Block XV	0 0 30	Vol. 1, fol. 238.
Lots 1 and 2 of Section 2, Block XIX, shown on D.P. 55	0 1 0	Part Vol. 169, fol. 7.