

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

House of Representatives

Hon. Mr. Corbett

RESERVES AND OTHER LANDS DISPOSAL

Title.	ANALYSIS
1. Short Title.	11. Authorizing the Ohakune Borough Council to transfer certain moneys to the Ohakune Domain Account.
2. Declaring portion of the Hamilton Domain to be Crown land and effecting an exchange of portion of that domain for an area of land vested in the Corporation of the City of Hamilton.	12. Declaring certain land in Block II Lyndon Survey District to be Crown land.
3. Making special provision in regard to certain compensation moneys to be paid to the New Plymouth City Council.	13. Authorizing the Waitaki County Council to apply the rents received from certain lands for plantation purposes within the County of Waitaki.
4. Vesting certain land in Her Majesty as an addition to the Apiti Domain.	14. Declaring certain land in Rotorua Borough now subject to the Tourist and Health Resorts Control Act 1908 to be Crown land.
5. Terminating a lease granted by the Manukau County Council to the Mangere Board of Trustees. Repeal.	15. Authorizing the Stratford Borough Council to sell certain land to the Stratford Hospital Board.
6. Validating the redefinition of certain land vested in the Auckland University College Council.	16. Closing portion of a public street and declaring the same to be vested in the Mayor, Councillors, and Citizens of the City of Wanganui as a recreation reserve and conferring certain extended leasing powers on the Wanganui City Council in respect of the said land.
7. Vesting certain land in the Crown as an addition to the Hastwell Domain.	17. Revoking the reservation over portion of a public utility reserve in the Borough of Oamaru and authorizing the Oamaru Borough Council to sell that land.
8. Confirming the acquisition by the Crown of the Oputuri Block and other lands in the Mangonui District.	
9. Vesting certain lands in the Crown as additions to the South Malvern Domain.	
10. Making special provision for the setting apart of lands required for the Ruakura Animal Research Station.	

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| <p>18. Validating the construction of a rifle range on portion of the Motuihi Island Domain and providing for its use.</p> <p>19. Effecting exchanges of certain lands owned by Her Majesty, the Greymouth Harbour Board, and the Nelson Diocesan Trust Board.</p> <p>20. Authorizing the Cheviot County Council to sell or lease certain lands.</p> <p>21. Making special provision for the dedication as road of portions of certain lands owned by Homedale Land and Forestry Co., Ltd.</p> <p>22. Declaring portion of the Geraldine Domain to be Crown land and dedicating another portion of that domain as public street.</p> <p>23. Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948.</p> <p>24. Adding an area of Crown land to the Ngakuta Domain.</p> <p>25. Vesting the property of the Hampden Athenaeum in the Corporation of the Borough of Hampden and dissolving the Hampden Athenaeum. Repeal.</p> <p>26. Revesting portion of the Mangapehi Domain in the former owners thereof.</p> <p>27. Empowering the Auckland City Council to lease portion of the Auckland Domain to the Auckland Rugby League.</p> <p>28. Validating an agreement between the Lower Hutt City Council and the Hutt Park Committee.</p> <p>29. Authorizing the Nelson Institute to sell certain land to the present lessee thereof.</p> | <p>30. Declaring the Te Aroha Race-course reserve to be Crown land.</p> <p>31. Making provision for vesting the control of scenic reserves in the Ohakune district in the Ohakune Domain Board, and setting apart portion of the Ohakune Domain as a scenic reserve.</p> <p>32. Vesting part of Sections 45 and 46, Wheuuakura District, in Her Majesty.</p> <p>33. Special provisions with respect to the leasing of portions of the Lake Okataina Scenic Reserve. Repeal.</p> <p>34. Vesting certain lands in Mount Maunganui Golf Lands, Limited.</p> <p>35. Applying certain provisions as to leasing powers to Reserves 1778 and 1779, Block XII, Greymouth Survey District.</p> <p>36. Removing portion of Allotment 66A 2, Waipa Parish, from the operation of section 19 of the Reserves and Other Lands Disposal Act 1938.</p> <p>37. Authorizing the Wellington City Council to transfer portion of the Wellington Town Belt to the Crown.</p> <p>38. Authorizing the Auckland City Council to sell certain land to the Auckland Metropolitan Drainage Board.</p> <p>39. Vesting certain land in Reefton Working Men's Club and Mutual School of Arts.</p> <p>40. Provisions as to reclamation of lands in Lyall Bay and Evans Bay and for the vesting of certain other land in the Wellington Harbour Board. Repeal.</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:— 10

Short Title. 1. This Act may be cited as the Reserves and Other Lands Disposal Act 1952.

2. Whereas the lands firstly and secondly described in subsection seven of this section are vested in Her Majesty for recreation purposes subject to Part II of the Public Reserves, Domains, and National Parks Act 1928, and
- 5 form portion of the Hamilton Domain under the control of the Hamilton City Council acting as the Hamilton Domain Board: And whereas the land firstly described in the said subsection seven is not required for domain purposes, and it is desirable that the land be declared
- 10 Crown land subject to the Land Act 1948: And whereas the land secondly described in the said subsection seven is utilized by the Hamilton City Council, together with an adjoining area, being the land thirdly described in the said subsection seven, as a site for a water-pumping
- 15 station and for purposes incidental thereto: And whereas the land thirdly described in the said subsection seven is, together with the land fourthly described in the said subsection and a right of way as described in the Third Schedule to the Hamilton Domains Act 1911 vested in
- 20 the Corporation of the City of Hamilton as a municipal endowment or for municipal purposes by virtue of section five of that Act: And whereas the Hamilton City Council wishes to acquire the area of domain land secondly described in the said subsection seven and has agreed in
- 25 return to the land fourthly described in the said subsection seven being added to the Hamilton Domain: And whereas the right of way hereinbefore referred to is no longer required, and it is desirable that it be surrendered: Be it therefore enacted as follows:—
- 30 (1) The land firstly described in subsection seven 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.
- 35 (2) The land secondly described in subsection seven of this section is hereby declared to be no longer portion of the Hamilton Domain subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928, and is hereby vested in the Mayor, Councillors,
- 40 and Citizens of the City of Hamilton as a reserve for waterworks purposes under and subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928.

Declaring portion of the Hamilton Domain to be Crown land and effecting an exchange of portion of that domain for an area of land vested in the Corporation of the City of Hamilton.

See Reprint of Statutes, Vol. VI, p. 1148
1948, No. 64

1911 (Local),
No. 33

See Reprint of Statutes, Vol. VI, p. 1138

(3) All trusts, reservations, and restrictions heretofore affecting the land thirdly described in subsection seven of this section are hereby revoked, and it is hereby declared that the said land shall henceforth be held by the Mayor, Councillors, and Citizens of the City of Hamilton as a reserve for waterworks purposes under and subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928. 5

(4) The land fourthly described in subsection seven of this section is hereby declared to be no longer vested in the Corporation of the City of Hamilton for a municipal endowment or for municipal purposes, and that land is hereby declared to be vested in Her Majesty as and for a recreation reserve under and subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928 and to form portion of the Hamilton Domain under the control of the Hamilton Domain Board. 10 15

(5) The right of way referred to in the Third Schedule to the Hamilton Domains Act 1911 is hereby cancelled and declared to be surrendered to the servient tenements thereof. 20

(6) 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. 25

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

All those areas in the South Auckland Land District, City of Hamilton, being formerly portions of Allotments 19, 20, and 53, Hamilton West Town Belt, and being— 30

Firstly, Allotment 69, Hamilton West Town Belt; area, fourteen perches and eighty-three hundredths of a perch, more or less (S.O. Plan 35542). 35

Secondly, Allotment 68, Hamilton West Town Belt; area, one acre three roods and eighteen perches, more or less (S.O. Plan 35542).

Thirdly, Allotment 67, Hamilton West Town Belt; area, three acres one rood and twenty-five perches, more or less (S.O. Plan 35542). 40

Fourthly, Allotment 66, Hamilton West Town Belt; area, one acre three roods and twenty-five perches, more or less (S.O. Plan 35542).

3. Whereas the Minister of Works, on behalf of Her Majesty, proposes to acquire under the Public Works Act 1928 certain land now vested in the Corporation of the City of New Plymouth as a reserve and endowment for the improvement and benefit of the City of New Plymouth: And whereas it is desirable to make provision for the payment of the compensation moneys in respect of the acquisition of the aforesaid land direct to the New Plymouth City Council (in this section referred to as the Council), and also to make provision for the application of those moneys: Be it therefore enacted as follows:—

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

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

(2) The said compensation moneys shall be paid into a separate account by the Council and be applied in or towards the cost of the acquisition of land for municipal purposes or the erection or construction of buildings, improvements, or amenities of any kind whatsoever on land now or hereafter vested in the Corporation of the City of New Plymouth.

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

All that parcel of land situated in the City of New Plymouth containing two roods twenty-five perches and eighty-four hundredths of a perch, more or less, being Lot 1 on a plan deposited in the Land Registry Office at New Plymouth under Number 6686, and being part of Section G, New Plymouth Town Belt, and being the whole of the land comprised and described in certificate of title, Volume 164, folio 55, Taranaki Registry.

4. Whereas the land described in subsection three of this section was purchased in the year nineteen hundred and five by certain persons who at that time comprised the Apiti Domain Board: And whereas the purchase was financed by borrowing moneys on the security of a memorandum of mortgage over the said land, which said memorandum of mortgage is registered in the Land Registry Office at Wellington under Number 49705: And whereas it was intended at the time that on the repayment of the moneys secured by the said memorandum of mortgage the land was to be transferred to the Crown

Vesting certain land in Her Majesty as an addition to the Apiti Domain.

so that it might be constituted an addition to the Apiti Domain: And whereas the moneys secured as aforesaid have been repaid, but the discharge of the said memorandum of mortgage has not been registered and the certificate of title remains in the names of the persons who purchased the land in the year nineteen hundred and five: And whereas the said land has been administered and dealt with by the successive Boards controlling the Apiti Domain as part of that domain, and it is desirable that the said land be vested in Her Majesty the Queen, freed from all encumbrances, as an addition to the said Apiti Domain: Be it therefore enacted as follows:—

(1) The land described in subsection three of this section is hereby declared to be vested in Her Majesty as a recreation reserve subject to Part II of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Apiti Domain under the control of the Apiti Domain Board, but otherwise freed and discharged from the said memorandum of mortgage Number 49705 and from all other restrictions, encumbrances, liens, and interests whatsoever.

(2) The District Land Registrar for the Wellington Land Registration District is hereby authorized and directed to cancel the certificate of title for the said land 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 Wellington Land District, Pohangina County, containing by admeasurement five acres, more or less, being part of Section 19 of Block XI, Apiti Survey District, and being the whole of the land comprised and described in certificate of title, Volume 149, folio 117, Wellington Registry.

5. Whereas the Manukau County Council (in this section referred to as the Council) was empowered by section twelve of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 to lease part of Section 48, Village of Mangere, to certain persons to be known as the Mangere Board of Trustees (in this section referred to as the Board) for a site for a parish hall: And whereas pursuant to the said power the Council, by deed of lease dated the eighteenth day of December, nineteen hundred and twenty-two, leased to the Board part of the said Section 48 as therein

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

Terminating
a lease granted
by the
Manukau
County Council
to the Mangere
Board of
Trustees.
1922, No. 50

described for the term of fifty years from the first day of January, nineteen hundred and twenty-three, upon the terms therein set out: And whereas a hall has been erected on the land subject to the said lease, and it has
5 been agreed between the Council and the Board that the Council should assume the future ownership and control of the said hall: And whereas it is therefore desirable that the land subject to the said lease, together with all improvements thereon, including the hall, be vested in
10 the Council freed from the said lease: Be it therefore enacted as follows:—

(1) The lease dated the eighteenth day of December, nineteen hundred and twenty-two, granted by the Council to the Board, and the term thereby created, is
15 hereby declared to be terminated and extinguished, and the land heretofore subject to that lease and all buildings and other improvements thereon are hereby declared to be vested in the Chairman, Councillors, and Inhabitants of the County of Manukau freed from all rights
20 and obligations of the Board but subject to all trusts and reservations affecting the same existing prior to the granting of the said lease.

(2) The Secretary of the Board, acting on behalf of the Board, is hereby empowered to transfer and deliver
25 to the Council any furnishings, chattels, and effects belonging to the Board upon such terms as may be agreed upon between the Board and the Council.

(3) Section twelve of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is
30 hereby repealed. Repeal.

6. Whereas certain reserves were vested in the Auckland College Council in trust for the Auckland University College by the Auckland University College Reserves Act 1885 (referred to in this section as the said Act):
35 And whereas one of the reserves so vested was described in that portion of the Schedule to the said Act relating to the County of Raglan as Allotment 174 in the Parish of Karamu, and the boundaries thereof were described in that Schedule: And whereas a survey was carried out
40 subsequently, and a certificate of title (Volume 71, folio 94, Auckland Registry) was issued in the name of the Auckland University College Council for the land so surveyed, and that land was described in the said

Validating the redefinition of certain land vested in the Auckland University College Council. 1885 (Local), No. 1

certificate of title as Allotment 174, Parish of Karamu, but the boundaries thereof differed substantially from the boundaries set out in the Schedule to the said Act: And whereas doubts have arisen as to the validity of the said certificate of title in so far as it purports to include land which was not included within the boundaries of the said Allotment 174 as defined in the Schedule to the said Act: And whereas doubts have also arisen concerning the status and ownership of lands not included in the said certificate of title, but included within the boundaries of the said Allotment 174 as defined in the Schedule to the said Act: And whereas it is expedient that all such doubts be resolved: Be it therefore enacted as follows:—

(1) The later definition of the boundaries of Allotment 174, parish of Karamu, as delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 6730 (blue) and as originally shown on certificate of title, Volume 71, folio 94, Auckland Registry, shall be deemed for all purposes to be correct and valid and to have been at all times substituted for the definition of the boundaries of the said Allotment 174 referred to in the Schedule to the said Act, and the said Act shall be deemed from the commencement thereof to have had effect accordingly.

(2) All former trusts, reservations, and restrictions affecting lands included in the earlier definition but not included within the boundaries of the said Allotment 174 as defined by the said plan Number 6730 (blue) are hereby revoked.

(3) Subsection two of this section shall be deemed to have come into force on the date of the commencement of the said Act.

(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.

7. Whereas the land described in subsection three of this section is the site of a hall used by the residents of the district of Hastwell: And whereas the certificate of title for the land is in the name of two persons, now deceased, who originally acquired the land as trustees

Vesting certain land in the Crown as an addition to the Hastwell Domain.

for the Hastwell Hall Society: And whereas it is desirable that the said land and the hall situated thereon continue to be available for public use, and it is therefore desirable that the land be vested in Her Majesty as an addition to the Hastwell Domain: Be it therefore enacted as follows:—

(1) The land described in subsection three of this section is hereby declared to be vested in Her Majesty as a recreation reserve subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Hastwell Domain under the control of the Hastwell Domain Board.

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

(2) The District Land Registrar for the Wellington Land Registration District is hereby authorized and directed to cancel the certificate of title for the said land and to do all such other things as may be necessary to give effect to the provision of this section.

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

All that area in the Wellington Land District containing by admeasurement eleven perches and one-tenth of a perch, more or less, being part of Section 49, Block XIV, Mangaone Survey District, and being the whole of the land comprised and described in certificate of title, Volume 210, folio 41, Wellington Registry.

8. Whereas in or about the year eighteen hundred and seventy-one negotiations were entered into by officers in the service of the Government of the Province of Auckland for the purchase of the lands described in subsection three of this section, which said lands were at that time vested in certain Maoris to whom Crown grants for the lands had been issued in accordance with the law then in force providing for the ascertainment of ownership of lands held by Maoris in accordance with their customs and usages: And whereas purchases of the said lands were completed and conveyances to either the Crown or the Superintendent of the Province of Auckland were duly executed, but the said conveyances were destroyed by fire on or about the nineteenth day of November, eighteen hundred and seventy-two, before they had been recorded in the Deeds Register Office: And whereas the said lands were subsequently dealt with by

Confirming
the acquisition
by the Crown
of the Opouturi
Block and
other lands in
the Mangonui
District.

the Crown as if the purchases had been completed and valid: And whereas it is desirable that the purchase of the said lands be confirmed and properly recorded in the Deeds Register Office at Auckland: Be it therefore enacted as follows:—

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(1) The lands described in subsection three of this section shall be deemed for all purposes to have been the property of the Crown freed and discharged from all other estates and interests as at the nineteenth day of November, eighteen hundred and seventy-two, and all 10 dealings with the said lands as lands of the Crown since that date are hereby confirmed and validated and declared to be and to have been of full force and effect according to their tenor.

(2) The Registrar of Deeds for the Auckland Deeds 15 Registration District is hereby authorized and directed to make such entries in the Deeds Register as shall be necessary to record the acquisition of the said lands by the Crown.

(3) The lands to which this section relates are 20 particularly described as follows:—

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

Firstly, the Opouturi Block, containing two hundred and fifty acres, more or less, situated in Block IV, 25 Takahue Survey District, and Block I, Maungataniwha Survey District, and being all the land contained in a Crown Grant No. 991H dated the twenty-fifth day of April, eighteen hundred and seventy-one, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 42: 30 as the same is more particularly delineated on Plan M.L. 1852, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

Secondly, the Whakapapa Block, containing four hundred and seventy acres, more or less, situated in 35 Blocks IV and VIII, Takahue Survey District, and Blocks I and V, Maungataniwha Survey District, and being all the land contained in a Crown Grant 994H dated the twenty-fifth day of April, eighteen hundred and seventy-one, recorded in the Auckland Deeds 40

Register Office, Volume 3GH, folio 45: as the same is more particularly delineated on Plan M.L. 1853, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

- 5 Thirdly, the Taumatapukapuka Block, containing fourteen hundred and thirty acres, more or less, situated in Blocks XII and XIII, Rangaunu Survey District, and Blocks III and IV, Takahue Survey District, and being all the land contained in a Crown Grant
10 No. 993H dated the twenty-fifth day of April, eighteen hundred and seventy-one, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 44: as the same is more particularly delineated on Plan M.L. 1854, deposited in the office of the Chief Surveyor, Auckland,
15 and thereon edged red.

- Fourthly, the Patiki Block, containing four thousand and seven acres, more or less, situated in Blocks II, III, IV, VI, VII, and VIII, Takahue Survey District, and being all the land contained in a Crown Grant No. 992H
20 dated the twenty-fifth day of April, eighteen hundred and seventy-one, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 43: as the same is more particularly delineated on Plan M.L. 1855, deposited in the office of the Chief Surveyor, Auckland, and thereon
25 edged red.

- Fifthly, part of the Taheke Block, containing three hundred and twenty-five acres and one rood, more or less, situated in Block VIII, Takahue Survey District, being part of the land contained in a Crown Grant
30 No. 582H dated the twenty-eighth day of November, eighteen hundred and sixty-six, recorded in the Auckland Deeds Register Office, Volume 2GH, folio 248: as the same is more particularly delineated on Plan M.L. 338, deposited in the office of the Chief Surveyor, Auckland,
35 and thereon edged red.

9. Whereas the lands described in subsection six of this section are required for the purpose of additions to the South Malvern Domain: And whereas it is desirable to make special provision to vest the said
40 lands in the Crown for that purpose as the registered proprietors under the Land Transfer Act 1915 are no longer living or cannot be traced: And whereas certain

Vesting certain lands in the Crown as additions to the South Malvern Domain.

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

payments have been made to other persons believed to be equitably entitled to the said lands, and it is desirable that those payments be validated: Be it therefore enacted as follows:—

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

(1) The lands described in subsection six of this section are hereby declared to be vested in Her Majesty as recreation reserves subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928 and to form part of the South Malvern Domain under the control of the South Malvern Domain Board. 5 10

(2) The District Land Registrar for the Canterbury Land Registration District is hereby authorized and directed to cancel the certificates of title for the said lands and to do all such other things as shall be necessary to give effect to the provisions of this section. 15

(3) Any person claiming to have a legal or equitable interest in the said lands immediately prior to the commencement of this Act shall, on proving any such claim to the satisfaction of the Minister of Lands, be entitled to payment of compensation in respect of his interest. 20

(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: 25

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) All payments heretofore made from the South Malvern Domain Account for the purchase of rights or interests in the said lands are hereby validated and declared to have been lawfully made. 30

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

All those areas in the Canterbury Land District situated in Block VII, Hororata Survey District, containing together by admeasurement two roods four perches and five-tenths of a perch, more or less, being Lots 1, 4, 23, and 24 of Block IX on a plan deposited in the Land Registry Office at Christchurch under Number 10, being parts Rural Section 14756 and being 35 40

the whole of the lands comprised and described in certificates of title, Volume 29, folio 12, and Volume 6, folio 47, and part of the land comprised and described in certificate of title, Volume 6, folio 40, Canterbury Registry.

10. Whereas it is desirable to make special provision for the setting apart of lands required for the purposes of the Ruakura Animal Research Station to ensure that the lands shall be retained for the purposes of the station: Be it therefore enacted as follows:—

(1) The Governor-General may from time to time, by Order in Council published in the *Gazette*, set apart for the purposes of this section any Crown land subject to the Land Act 1948 or any land purchased, acquired, set apart, or held by the Crown for Government purposes.

(2) Subject to the provisions of this section, all lands set apart under this section shall be vested in Her Majesty and administered by the Minister of Agriculture on behalf of Her Majesty for the purposes of the Ruakura Animal Research Station and, notwithstanding the provisions of any other enactment, shall be used for those purposes and no others:

Provided that the Minister of Agriculture, on behalf of Her Majesty, may grant any right of way, water right, or other easement over any such lands if he is satisfied that any such easement will not interfere with the use of the land affected thereby for the purposes of the Ruakura Animal Research Station.

(3) Where any land has been set apart by Order in Council under this section the District Land Registrar, on the completion of such surveys (if any) as may be necessary, shall, at the request of the Minister of Agriculture, issue a certificate of title for the land in the name of Her Majesty the Queen and shall endorse thereon a memorial that the land is subject to the provisions of this section.

(4) Any Order in Council issued or any easement granted under this section may be registered against any certificate of title in existence for the land affected thereby in the manner provided by the Land Transfer Act 1915.

Making special provision for the setting apart of lands required for the Ruakura Animal Research Station.

1948, No. 64

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

Authorizing
the Ohakune
Borough
Council to
transfer
certain
moneys to
the Ohakune
Domain
Account.
See Reprint
of Statutes,
Vol. VIII,
p. 613

11. Whereas the lands described as Suburban Sections 33, 34, 40, and 42, Town of Ohakune, are controlled by the Ohakune Borough Council (in this section referred to as the Council) under the Scenery Preservation Act 1908, and are known as the Jubilee Park Scenic Reserve: And whereas certain moneys have accrued from the sale of posts and battens split from dead trees removed from the said lands, which moneys are held by the Council in a special account known as the Jubilee Park Scenic Reserve Account: And whereas the Council desires to apply portion of those moneys towards the improvement and maintenance of the Ohakune Domain which is controlled by the Council in its capacity as the Ohakune Domain Board: And whereas it is desirable that provision be made accordingly: Be it therefore enacted as follows:—

The Council may, without further authority than this section, transfer the sum of three hundred and fifty pounds from the Jubilee Park Scenic Reserve Account to the Ohakune Domain Account and apply that sum towards the cost of improving and maintaining the Ohakune Domain.

Declaring
certain land in
Block II
Lyndon Survey
District to be
Crown land.
Ibid., p. 605
1921, No. 59

1948, No. 64

12. Whereas the land described in subsection two of this section is administered under the Tourist and Health Resorts Control Act 1908 and control of the said land is vested in the Minister of Health pursuant to section one hundred and thirty of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22: And whereas it is expedient that the said land be declared Crown land subject to the Land Act 1948 so that portions may be legalized as road and constituted as a public reserve respectively: Be it therefore enacted as follows:—

(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 removed from the operation of the Tourist and Health Resorts Control Act 1908 and is 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 Amuri County, Canterbury Land District, situated in Block II, Lyndon Survey District, containing by admeasurement ten perches and seven-tenths of a perch, more or less, being part of Reserve

3942: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Christchurch, under Number 8425, and thereon bordered red.

- 5 **13.** Whereas the land firstly described in subsection two of this section is vested in the Chairman, Councillors, and Inhabitants of the County of Waitaki in trust for plantation purposes: And whereas the aforesaid trust for plantation purposes has become impossible of performance by reason of the nature of the said land, and all attempts to plant trees on the said land have failed: And whereas the said land has from time to time been leased for grazing purposes: And whereas certain moneys derived from the leasing of the said land are held by the Waitaki County Council (referred to in this section as the Council), and it is expedient to empower the Council to expend those moneys and all future moneys to be derived from the leasing of the said land towards plantation purposes in such other places within the County of Waitaki as the Council may think fit: And whereas it is desirable that similar provision be made in regard to any rents received from the land secondly described in subsection two of this section, which land is also vested in the Chairman, Councillors, and Inhabitants of the County of Waitaki for plantation purposes and is a former closed road adjoining the said land firstly described: Be it therefore enacted as follows:—

Authorizing the Waitaki County Council to apply the rents received from certain lands for plantation purposes within the County of Waitaki.

- (1) Notwithstanding anything to the contrary in any Act or rule of law, all moneys now held or to be received hereafter from the leasing of the lands described in subsection two of this section may be expended by the Council for plantation purposes in such other places within the County of Waitaki as the Council may think fit.

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

- Firstly, all that area in the Otago Land District, containing by admeasurement one thousand four hundred and thirty-seven acres and two roods, more or less, being Section 20, Block I, Benmore Survey District, and being the whole of the land comprised and described in certificate of title, Volume 180, folio 223, Otago Registry.

Secondly, all that area in the Otago Land District, containing by admeasurement one rood thirty-nine perches and two-tenths of a perch, more or less, being Section 1563a, Block I, Benmore Survey District (S.O. Plan 9333).

Declaring certain land in Rotorua Borough now subject to the Tourist and Health Resorts Control Act 1908 to be Crown land. See Reprint of Statutes, Vol. VIII, p. 605 1948, No. 64

14. Whereas the land described in subsection two of this section is a reserve for recreation purposes and has been brought under the operation of the Tourist and Health Resorts Control Act 1908: And whereas it is desirable that the said land be declared Crown land subject to the Land Act 1948 freed and discharged from all previous reservations and restrictions: Be it therefore enacted as follows:—

(1) The land described in subsection two of this section shall no longer be subject to the Tourist and Health Resorts Control Act 1908 and the vesting of the control of the said land in the Minister charged with the administration of that Act is hereby cancelled and the said land is hereby declared to be Crown land subject to the Land Act 1948 freed and discharged from all reservations and restrictions for recreation purposes.

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

All that area in the South Auckland Land District, Rotorua Borough, containing by admeasurement two roods twenty-four perches and five-tenths of a perch, more or less, being Sections 9, 10, and 11 of Block LXX, Town of Rotorua.

Authorizing the Stratford Borough Council to sell certain land to the Stratford Hospital Board.

15. 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 the Stratford Hospital Board is desirous of purchasing the said land: And whereas it is expedient to empower the Stratford Borough Council to sell the said land to the Stratford Hospital Board by private

contract and apply the proceeds of the sale towards the purchase of other land to be held for endowment purposes: Be it therefore enacted as follows:—

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

(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
 15 Stratford in trust as an endowment in aid of the borough funds.

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

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

All that area in the Taranaki Land District, Borough
 25 of Stratford, containing by admeasurement one acre, more or less, being Sections 958, 959, 996, and 997, Town of Stratford, and being part of the land comprised and described in certificate of title, Volume 158, folio 214, Taranaki Registry.

• 16. Whereas the land described in subsection four
 30 of this section is portion of a legal street known as Somme Parade situated within the City of Wanganui and abutting the Wanganui River: And whereas the fee simple of the said street is vested in the Corporation of
 35 the City of Wanganui: And whereas it is desirable that the said street be closed and constituted a reserve for recreation purposes and it is expedient that the ordinary powers of the Wanganui City Council (in this section referred to as the Council) to lease the said land be
 40 extended as hereinafter provided: Be it therefore enacted as follows:—

(1) The portion of Somme Parade in the City of Wanganui, being the land described in subsection four of this section, is hereby declared to be closed and to be

Closing portion of a public street and declaring the same to be vested in the Mayor, Councillors, and Citizens of the City of Wanganui as a recreation reserve and conferring certain extended leasing powers on the Wanganui City Council in respect of the said land.

no longer dedicated as a public street and all rights of the public thereover as a public highway are hereby cancelled and the said land is hereby declared to be vested in the Mayor, Councillors, and Citizens of the City of Wanganui in trust as a reserve for recreation purposes under and subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act 1928. 5

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

1938, No. 20

(2) The powers of the Council to lease the said land under the provisions of section fifty of the Statutes Amendment Act 1938 are hereby extended to enable the Council to include in any lease granted under that section a provision that the lessee shall be entitled to a renewal of the lease on the expiry thereof for a further term of not more than twenty-one years: 10 15

Provided that the additional power conferred by this subsection may not be exercised more than once in respect of the same land.

(3) The District Land Registrar for the Land Registration District of Wellington 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. 20

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

All that area in the Wellington Land District, City of Wanganui, situated in Block III, Westmere Survey District, containing by admeasurement one acre one rood and two perches, more or less, abutting the Wanganui River and adjacent to Sections 21 and 22, Right Bank Wanganui River, being the land more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Wellington, under Number 22523, and thereon coloured green. 30

Revoking the
reservation
over portion
of a public
utility reserve
in the Borough
of Oamaru and
authorizing the
Oamaru
Borough
Council to sell
that land.

17. Whereas the land described in subsection six of this section is portion of a reserve for the purposes of public utility for the Town of Oamaru and its inhabitants and is vested in Her Majesty the Queen: And whereas the said land is not required for the purposes for which it is reserved, and the Oamaru Borough Council (in this section referred to as the Council) desires to subdivide the said land into building sections for the purposes of sale: And whereas it is expedient that the Council should be authorized so to do 35 40

on condition that a sum equivalent to the present value of the said land is credited to a special account and applied in and to the purchase of other lands for recreation purposes or for the improvement of existing reserves held for recreation purposes: Be it therefore enacted as follows:—

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

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

(3) Notwithstanding anything to the contrary in any Act, the Council may, without any further authority than this section, subdivide the said land into building lots and may, for the purposes of better subdivision, proclaim, take, or set apart any portion of the said land for public streets. The Council is also hereby authorized to sell such lots of the subdivision by public auction or tender, or public application and ballot at a fixed price, or by private contract, as the Council may in its discretion decide.

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

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

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

All that area in the Otago Land District situated in the Oamaru Borough containing by admeasurement ten acres and one rood, more or less, being part of Reserve D, Town of Oamaru, bounded by a line commencing at

the south-western corner of Lot 1 Brown Settlement on S.O. plan 8984; thence westerly along the northern side of Wansbeck Street on a bearing of $281^{\circ} 27'$ a distance of 142.85 links; thence north-easterly on a bearing of $45^{\circ} 00'$, 67.0 links; thence north-westerly on a bearing of $348^{\circ} 33' 30''$, 335.03 links; thence westerly on a bearing of $281^{\circ} 27'$, 189.62 links; thence northerly on a bearing of $11^{\circ} 27'$, 1602.25 links; thence easterly on a bearing of $101^{\circ} 27'$, 144.7 links; thence south-easterly on a bearing of $146^{\circ} 27'$, 42.84 links; thence northerly on a bearing of $11^{\circ} 27''$, 334.12 links to the southern boundary of the South Island Main Trunk Railway; thence easterly along that boundary on a bearing of $98^{\circ} 07'$, 501.61 links to Wye Street; thence southerly along the western side of Wye Street on a bearing of $191^{\circ} 27'$, 833.0 links to Stour Street; thence westerly along the northern side of Stour Street on a bearing of $281^{\circ} 27'$, 250.0 links; thence southerly on a bearing of $191^{\circ} 27'$, 1466.73 links along the western ends of Stour Street and Rother Street and the western boundaries of Lots 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, and 1, Brown Settlement, to the point of commencement, be all the aforesaid bearings and distances more or less, and being part of the land comprised and described in certificate of title, Volume 46, folio 69, Otago Registry.

Validating the construction of a rifle range on portion of the Motuahi Island Domain and providing for its use.

18. Whereas the land described in subsection three of this section forms portion of the Motuahi Island Domain under the control of the Auckland City Council acting as the Motuahi Island Domain Board: And whereas a rifle range has been constructed on the said land for the use and instruction of the personnel of the naval training station known as H.M.N.Z.S. Tamaki: And whereas no provision exists for the use of any portion of a public domain for a rifle range and it is desirable that the construction of the said rifle range be validated and that provision be made for its use: Be it therefore enacted as follows: -

(1) The construction of a rifle range on the land described in subsection three of this section and the use thereof before the passing of this Act are hereby validated.

(2) The said land may from time to time be used as a rifle range on such terms and conditions as may be agreed upon between the Minister of Lands, the Minister of Defence, and the Auckland City Council acting as the
5 Motuihi Island Domain Board.

(3) The portion of the Motuihi Island Domain to which this section relates is particularly described as follows:—

All that area in the North Auckland Land District
10 situated in Block XIII, Rangitoto Survey District, containing by admeasurement thirteen acres three roods and sixteen perches, more or less, being part of Motuihe Island (formerly known as Motuihi Island): as the same is more particularly delineated on the plan lodged in the
15 office of the Chief Surveyor, at Auckland, under Number 37009.

19. Whereas Section 3633 Town of Greymouth is vested in the Nelson Diocesan Trust Board: And whereas Part Reserve 705 Town of Greymouth, which
20 adjoins the said Section 3633, is vested in Her Majesty and is reserved for Government purposes: And whereas the said Section 3633 and the said Part Reserve 705 are without legal access, being separated from the public street known as Packer's Quay, by certain land vested
25 in the Greymouth Harbour Board in trust (without power of sale) as a harbour endowment and known as Part Reserve 1485, Block XII, Greymouth Survey District: And whereas it is desirable that exchanges of portions of the above-mentioned lands be effected as
30 hereinafter provided in order that the lands of the Nelson Diocesan Trust Board and Her Majesty may have access to the said Packer's Quay and be realigned to that street: Be it therefore enacted as follows:—

(1) The vesting of the land firstly described in
35 subsection seven of this section in the Greymouth Harbour Board is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as a reserve for police purposes under and subject to Part I of the Public Reserves, Domains, and National
40 Parks Act 1928.

(2) The reservation over the land secondly described in subsection seven of this section is hereby revoked and that land is hereby vested in the Greymouth Harbour Board for an estate in fee simple in trust,
45 without power of sale, as a harbour endowment.

Effecting exchanges of certain lands owned by Her Majesty, the Greymouth Harbour Board, and the Nelson Diocesan Trust Board.

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

(3) The reservation over the land thirdly described in subsection seven of this section is hereby revoked and that land is hereby vested in the Nelson Diocesan Trust Board for an estate in fee simple.

(4) The vesting of the land fourthly described in subsection seven of this section in the Nelson Diocesan Trust Board is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as a reserve for police purposes under and subject to Part I of the Public Reserves, Domains, and National Parks Act 1928.

(5) The vesting of the land fifthly described in subsection seven of this section in the Greymouth Harbour Board is hereby cancelled and that land is hereby vested in the Nelson Diocesan Trust Board for an estate in fee simple.

(6) The District Land Registrar for the Westland 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.

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

All those areas in the Westland Land District, Borough of Greymouth, being—

Firstly, all that area containing by admeasurement ten perches, more or less, being part of Reserve 1485, Block XII, Greymouth Survey District, and being part of the land comprised and described in certificate of title, Volume 52, folio 51, Westland Registry.

Secondly, all that area containing by admeasurement ten perches and nine-tenths of a perch, more or less, being part Reserve 705, Town of Greymouth.

Thirdly, all that area containing by admeasurement two-tenths of a perch, more or less, being part Reserve 705, Town of Greymouth.

Fourthly, all that area containing by admeasurement four perches and two-tenths of a perch, more or less, being part Section 3633, Town of Greymouth, and being part of the land comprised and described in certificate of title, Volume 26, folio 194, Westland Registry.

Fifthly, all that area containing by admeasurement a total of eight perches and one-tenth of a perch, more or less, being part of Reserve 1485, Block XII, Grey-mouth Survey District, and being part of the land
5 comprised and described in certificate of title, Volume 52, folio 51, Westland Registry:

As the same are more particularly delineated on the plan marked L. and S. 6/7/256 deposited in the Head Office, Department of Lands and Survey, at Wellington,
10 and thereon bordered yellow, red, green, purple, and blue respectively. (S.O. Plan 4584.)

20. Whereas the lands described in subsection five of this section were vested in the Mackenzie Town Board in the year nineteen hundred and nine in trust, as to the
15 lands firstly described in the said subsection, for municipal purposes and in trust, as to the lands secondly so described, as an endowment or for the use of the said Town Board: And whereas the district of the Mackenzie Town Board has since been merged in the Cheviot
20 County and the said lands have become vested in the Corporation of that county: And whereas it is expedient to empower the Cheviot County Council (in this section referred to as the Council) to sell or lease the said lands as hereinafter provided: Be it therefore enacted as
25 follows:—

Authorizing the Cheviot County Council to sell or lease certain lands.

(1) The Council may, without further authority than this section, sell the lands described in subsection five of this section or any part or parts of those lands, by
30 private treaty or otherwise, on such terms and subject to such conditions as it thinks fit, and on the sale of any such land any trust or reservation theretofore affecting the same shall be deemed to be cancelled.

(2) In addition to the power conferred by subsection one of this section and to all powers already held by the
35 Council enabling it to lease the said lands, the Council may grant leases of the said lands or any parts thereof under the Public Bodies Leases Act 1908, and for that purpose the Council is hereby declared to be a leasing authority within the meaning of that Act and
40 shall have and may exercise the powers conferred by that Act.

See Reprint of Statutes, Vol. IV, p. 1031

(3) The proceeds from all sales of the said lands and all rentals received under any lease granted pursuant to subsection two of this section shall be paid by the Council into its General Account and shall form part of its ordinary revenue. 5

(4) The District Land Registrar for the Canterbury 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 this section. 10

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

Firstly, all those areas in the Canterbury Land District, Cheviot County, containing by admeasurement three acres two roods and twenty-eight perches, more or less, being Sections 9 and 10 of Block XV, Block XVI, Sections 1 to 7 inclusive of Block XX and Sections 10, 11, and 13 of Block XXIV, Town of Mackenzie (also known as Reserves 3791 to 3794 inclusive). 15

Secondly, all those areas in the Canterbury Land District, Cheviot County, containing together by admeasurement five acres one rood and ten perches, more or less, being Sections 1 to 8 inclusive of Block XV, and Sections 1 to 14 inclusive of Block XIX, Town of Mackenzie (also known as Reserves 3799 and 3800). 20 25

Making special provision for the dedication as road of portions of certain lands owned by Homedale Land and Forestry Co., Ltd.

21. Whereas the lands described in subsection three of this section are vested in Homedale Land and Forestry Company, Limited, a company incorporated in New Zealand and having its registered office in the City of Wellington (in this section referred to as the Homedale Company): And whereas the said lands are subject to the easement or rights as to water (in this section referred to as the said easement) reserved by a certain memorandum of transfer bearing date the first day of May, nineteen hundred and fifty, and made between Wainui-O-Mata Development, Limited, a company incorporated in New Zealand and having its registered office in the City of Wellington (in this section referred to as the Wainui-O-Mata Company) as vendor of the one part, and the Homedale Company as purchaser of the other part, which said transfer is 30 35 40

registered as No. 329019, Wellington Registry: And
whereas by the said memorandum of transfer the said
easement was expressed to be reserved to the
Wainui-O-Mata Company or other the owner or
5 owners occupier or occupiers for the time being of the
residue at that time of the land comprised and described
in certificates of title, Volume 506, folios 51, 52, 53, and
54, Volume 520, folio 224, Volume 537, folio 271, Volume
547, folio 87, and Volume 551, folios 98 and 99, Welling-
10 ton Registry: And whereas since the date of the said
memorandum of transfer the Wainui-O-Mata Company
has sold or transferred to individual purchasers numer-
ous portions of that residue: And whereas the Holmdale
Company is desirous of subdividing for the purposes of
15 sale the land described in subsection three of this
section, and the subdivision will necessitate the dedica-
tion of parts of the said land as and for a public road
and highway: And whereas it would be necessary that
any land to be dedicated as aforesaid be released from
20 the provisions of the said easement before dedication
may be effected, but it is impracticable to arrange this
due to the large number of persons whose consent would
have to be obtained to the release: And whereas it is
therefore expedient that special provision be made
25 enabling the dedication of lands as aforesaid without
first releasing the lands from the provisions of the said
easement: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any
Act or rule of law and notwithstanding the fact that
30 the lands are subject to the said easement, any portions
of the lands described in subsection three of this section
may from time to time be dedicated as public road,
street, or highway, and, on completion of registration
of any such dedication, the lands so dedicated shall be
35 deemed for all purposes to be freed and released from
the provisions of the said easement.

(2) The District Land Registrar for the Wellington
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.

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

All that area in the Wellington Land District situated in Blocks XVI and XVII, Belmont Survey District, containing by admeasurement one hundred and fifty-two acres one rood and twelve perches, more or less, being parts of Sections 1, 2, 26, 79, and 80, Wainui-o-mata District, and part of Section 8, Lowry Bay District, and being also Lot 1 on the plan numbered 14521 deposited in the Wellington Land Registry Office, and being all the land comprised and described in certificate of title, Volume 562, folio 116, Wellington Registry.

Declaring
portion of the
Geraldine
Domain to be
Crown land
and dedicating
another portion
of that domain
as public street.
See Reprint
of Statutes,
Vol. VI, p. 1148

22. Whereas the land described in subsection three of this section, being reserved for public gardens and recreation ground, is subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act 1928, and forms part of the Geraldine Domain: And whereas the remainder of the Geraldine Domain is ample for public gardens and recreation grounds in the Borough of Geraldine, and it is desirable that the said land be freed from the existing reservations and be dealt with as hereinafter provided: Be it therefore enacted as follows:—

(1) The land described in subsection three 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 land firstly described in the said subsection is hereby declared to be Crown land available for disposal by way of sale for cash under the Land Act 1948, and the land secondly described in the said subsection is hereby dedicated as public street.

1948, No. 64

(2) The provisions of subsection two of section forty-one of the Public Reserves, Domains, and National Parks Act 1928 shall apply as if the sale of the lands firstly described in subsection three of this section was authorized by an Order in Council under subsection one of the said section forty-one.

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

Firstly, all that area in the Canterbury Land District containing by admeasurement two acres eighteen perches and eight-tenths of a perch, more or less, being Lots 1 to 11 (inclusive) on a plan deposited in the Land

Registry Office at Christchurch under Number 16518, and being part of Reserve 1624 situated in the Borough of Geraldine.

- Secondly, all that area in the Canterbury Land
- 5 District containing by admeasurement one-tenth of a perch, more or less, being Lot 12 on a plan deposited in the Land Registry Office, at Christchurch, under Number 16518, and being part of Reserve 1624 situated in the Borough of Geraldine.
- 10 **23.** Whereas the lands described in subsection two of this section are set apart as permanent State forest land, and it is desirable that they should be declared Crown land subject to the Land Act 1948: Be it therefore enacted as follows:—
- 15 (1) The setting apart of the lands described in subsection two of this section as permanent State forest 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
- 20 particularly described as follows:—
- Firstly, all that area in the Hokianga County, North Auckland Land District, containing by admeasurement fifteen acres, more or less, being Section 15, Block VI, Hokianga Survey District. (North Auckland S.O. Plan
- 25 12029.)
- Secondly, all that area in the Waimea County, Nelson Land District, containing by admeasurement seventy-six acres, more or less, being Section 182, Square 2, situated in Block VIII, Wai-iti Survey District. (Nelson S.O.
- 30 Plan 4420.)
- Thirdly, all that area in the Waimea County, Nelson Land District, containing by admeasurement ninety acres two roods and twenty perches, more or less, being
- 35 Section 2 and part of Section 15, Block III, Wangapeka Survey District: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Nelson, under Number 9773, and thereon bordered red.
- Fourthly, all that area in the Mackenzie County,
- 40 Canterbury Land District, containing by admeasurement thirteen acres two roods and sixteen perches, more or less, being Reserve 3245, situated in Block XIV, Tengawai Survey District. (Canterbury S.O. Plan 1435L.)

Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948.

1948, No. 64

Fifthly, all that area in the Thames County, South Auckland Land District, containing by admeasurement twenty-six acres one rood and eighteen perches, more or less, being part of Whangamata Numbers 1 and 2 Blocks, situated in Blocks XII and XVI, Tairua Survey District, and being part of the land comprised and described in certificates of title, Volume 9, folios 63 and 64, Auckland Registry: as the same is more particularly delineated on the plan marked L. and S. 22/1432/29A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (South Auckland S.O. Plan 35854.)

Sixthly, all those areas in the Piako County, South Auckland Land District, situated in Block VIII, Hapua-kohe Survey District, containing by admeasurement one hundred and seven acres one rood and eleven perches, more or less, being parts Hoe-o-Tainui North 6B 2J 2 Block: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 35494, and thereon bordered red.

Seventhly, all that area in the Whangaroa County, North Auckland Land District, containing by admeasurement four hundred and seventy-nine acres two roods and thirty perches, more or less, being part of the land set apart as permanent State forest by Proclamation dated the twenty-first day of September, nineteen hundred and thirty-eight, and published in the *Gazette* of the twenty-ninth day of that month at page 2144, and being also the land now known as Section 7 and Part Section 18 of Block VII and Section 18 of Block XI, Mangonui Survey District: as the same is more particularly delineated on the plan marked L. and S. 10/91/39, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Eighthly, all that area in the Thames County, South Auckland Land District, containing by admeasurement twenty-seven acres two roods and fifteen perches, more or less, being part Wharekawa East Number 2 Block and being part of the land comprised and described in certificate of title, Volume 9, folio 17, Auckland Registry, and being also the land now known as Section 7, Block IV, Tairua Survey District (South Auckland S.O. Plan 35814).

24. Whereas the land described in subsection three of this section is vested in Her Majesty pursuant to section thirteen of the Land Subdivision in Counties Act 1946 as Crown land available for disposal for cash:

Adding an area of Crown land to the Ngakuta Domain.
1946, No. 199

5 And whereas it is not desired to dispose of the said land for cash, but it is desirable that the said land be added to the Ngakuta Domain under the control of the Ngakuta Domain Board: Be it therefore enacted as follows:—

10 (1) The land described in subsection three of this section is hereby declared to be no longer subject to the provisions of subsection two of section thirteen of the Land Subdivision in Counties Act 1946 and the said land is hereby declared to be set apart as a recreation reserve subject to Part II of the Public Reserves, 15 Domains, and National Parks Act 1928 and to form part of the Ngakuta Domain under the control of the Ngakuta Domain Board.

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

20 (2) The District Land Registrar for the Marlborough Land Registration District is hereby authorized and directed to make such entries in the register books 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:—

25 All that area in the Marlborough Land District situated in Bloek XI, Linkwater Survey District, containing by admeasurement one rood thirty-four perches and three-tenths of a perch, more or less, being Lot 1 on the plan deposited in the Land Registry Office at 30 Blenheim under Number 1629, being part of Tom's Grant, Queen Charlotte Sound Registration District, and being part of the land originally comprised and described in certificate of title, Volume 34, folio 156, Marlborough Registry.

35 25. Whereas it was provided by an Ordinance of the Superintendent of the Province of Otago intituled the Hampden Mechanics' Institute Reserve Management Ordinance 1871 that the land firstly described in subsection six of this section should be vested in the body 40 incorporated under that Ordinance by the name of the Trustees of the Hampden Mechanics' Institute, and it was further provided that the Superintendent should have power to execute a conveyance to effect the vesting:

Vesting the property of the Hampden Athenaeum in the Corporation of the Borough of Hampden and dissolving the Hampden Athenaeum.
Sess. XXIX, No. 356

And whereas it appears that no such conveyance was ever executed, but the said land has been administered by the Hampden Athenaeum (in this section referred to as the Athenaeum), a body duly incorporated under the Public Libraries Powers Act 1875 and now operating 5
under the provisions of the Libraries and Mechanics' Institutes Act 1908: And whereas the said Athenaeum is the registered proprietor of certain other lands, being the lands secondly described in subsection six of this section: And whereas the Hampden Borough Council 10
(in this section referred to as the Council) is desirous of constructing a war memorial community centre in the Borough of Hampden, and it has been agreed between the Council and the Athenaeum that the Council shall take over the assets, liabilities, and functions of the 15
Athenaeum for the furtherance of that project, and in particular shall take over all of the lands hereinbefore referred to as a site for the proposed community centre: And whereas it is desirable that provision be made to 20
give effect to the wishes of the Council and the Athenaeum as hereinafter provided: Be it therefore enacted as follows:—

See Reprint
of Statutes,
Vol. IV, p. 1108

(1) The lands described in subsection six of this section are hereby freed from all trusts and reservations heretofore affecting the same and are declared to be 25
vested in the Corporation of the Borough of Hampden in trust as a reserve for a site for a war memorial community centre under and subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928. 30

Ibid., Vol. VI,
p. 1134

(2) The War Memorial community centre to be constructed on the said lands shall be in the form of a public hall for the purposes of meetings and entertainments and similar purposes, but may provide for such other amenities as the Council thinks fit, and in particular 35
may provide for a public library and for facilities for the Royal New Zealand Society for the Health of Women and Children.

(3) All the personal property of whatsoever nature, including the benefit of all contracts and agreements and 40
all rights and powers exercisable thereunder or pertaining thereto, belonging to the Athenaeum are hereby vested in the Corporation free from all trusts and reservations heretofore affecting the same, and all debts and 45
other liabilities lawfully incurred by the Institute and

existing on the passing of this Act shall hereafter be debts and liabilities of the Corporation, and the Council is hereby authorized and empowered to discharge the said debts and liabilities out of its ordinary revenues.

5 (4) The Athenaeum is hereby dissolved.

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

(6) The lands hereby vested in the Corporation of the Borough of Hampden are particularly described as follows:—

15 Firstly, all that area in the Otago Land District, Borough of Hampden, containing by admeasurement one rood, more or less, being Section 20 of Block XXVII, Town of Hampden.

Secondly, all that area in the Otago Land District, Borough of Hampden, containing by admeasurement one
20 acre, more or less, being Sections 6, 7, 21, and 22 of Block XXVII, Town of Hampden, and being the whole of the lands comprised and described in certificates of title, Volume 26, folio 69, Volume 67, folio 124, Volume
25 169, folio 188, and Volume 215, folio 129, limited as to parcels and title, Otago Registry.

(7) The Hampden Mechanics' Institute Reserve Management Ordinance 1871 is hereby repealed. Repeal.

26. Whereas part of Rangitoto-Tuhua 68a 2b 2 Block, being Maori freehold land situated in Block IX, Mapara Survey District, Taranaki Land District, was taken for the purposes of a recreation ground by Proclamation under the Public Works Act 1928 dated the twenty-eighth day of March, nineteen hundred and fifty-one, and published in the *Gazette* of the fifth day of April of that
35 year: And whereas by Order in Council dated the eighteenth day of July, nineteen hundred and fifty-one, and published in the *Gazette* of the nineteenth day of that month, the said land (described in the said Order in Council as Section 3, Block IX, Mapara Survey District)
40 was declared to be a public domain to be known as the Mangapehi Domain and to be subject to Part II of the Public Reserves, Domains, and National Parks Act 1928:

Revesting portion of the Mangapehi Domain in the former owners thereof. See Reprint of Statutes, Vol. VII, p. 622

Ibid., Vol. VI, p. 1148

And whereas it is expedient that portion of the said land should be revested in those persons who, on the commencement of this Act, would have been entitled thereto if the land had not been taken by the said Proclamation: Be it therefore enacted as follows:—

5

(1) The land described in subsection five of this section is hereby declared to be no longer set apart as a recreation ground and no longer subject to Part II of the Public Reserves, Domains, and National Parks Act 1928, and the said land is hereby revested in those persons who, on the commencement of this Act, would have been entitled thereto if the land had not been taken by the said Proclamation.

10

(2) The said Proclamation and the said Order in Council are hereby revoked in so far as they relate to the land described in subsection five of this section and, to the extent of the revocation, are hereby declared to be absolutely void and of no effect as from the date of the making thereof.

15

See Reprint
of Statutes,
Vol. VII, p. 637

(3) The provisions of subsections three and four of section twenty-seven of the Public Works Act 1928 shall apply to the land described in subsection five of this section in the same manner for all purposes as if the partial revocation of the said Proclamation had been effected under that section.

20

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

25

(5) The land hereby revested in its former owners is particularly described as follows:—

All that area in the Taranaki Land District, situated in Block IX, Mapara Survey District, containing by admeasurement one acre and thirty-seven perches, more or less, being part of Rangitoto-Tuhua 68G 2D 2 Block and being part of the land comprised and described in provisional register, Volume 12, folio 99, Taranaki Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at New Plymouth, under Number 8503, and thereon bordered red.

30

35

40

27. Whereas the land described in subsection three of this section is portion of the Auckland Domain and is vested in the Corporation of the City of Auckland upon the trusts declared by the Auckland Domain Vesting Act 1893: And whereas it is desirable to empower the Auckland City Council on behalf of the said Corporation to lease the said lands to the Auckland Rugby League: Be it therefore enacted as follows:—
- (1) Notwithstanding anything to the contrary in the Auckland Domain Vesting Act 1893 or in any other Act, the Auckland City Council may from time to time lease the land described in subsection three of this section to the trustees for the Auckland Rugby League, being the persons for the time being appointed by the said Auckland Rugby League for the purpose of holding the lease on its behalf.
- (2) Any lease under this section may be for such term, not exceeding twenty-one years, and at such rental and subject to such other terms and conditions as the Auckland City Council thinks fit.
- (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 VIII, Rangitoto Survey District, containing by admeasurement three roods thirty-six perches and one-tenth of a perch, more or less, being part of the Auckland Domain and parts of Allotment 98, Suburbs of Auckland: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37421, and thereon coloured yellow.
28. Whereas the Hutt Park Committee, a body corporate constituted by the Hutt Park Act 1907 (in this section referred to as the Committee), of the one part, and the Mayor, Councillors, and Citizens of the City of Lower Hutt, acting by and through the Lower Hutt City Council (in this section referred to as the Council), of the other part, have entered into and executed a certain deed of agreement dated the second day of June, nineteen hundred and fifty two: And whereas the said agreement provides for the Council to close portion of the public street known as Hutt Park Road and transfer the same to the Committee in exchange for certain lands required for street purposes, and also provides for matters

Empowering the Auckland City Council to lease portion of the Auckland Domain to the Auckland Rugby League. 1893 (Local), No. 25

Validating an agreement between the Lower Hutt City Council and the Hutt Park Committee. 1907 (Local), No. 25

incidental to that exchange and concerning the lands involved therein, and for the granting to the Council of an easement over portion of the Committee's land at present occupied by a sewerage pumping station: And whereas a copy of the said agreement is deposited in the Head Office, Department of Lands and Survey, at Wellington, under Wellington Deed Number 1677 (L. and S. 1/687): And whereas it is expedient that the said agreement be authorized and validated: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act or rule of law, the said agreement is hereby declared to be valid and binding in all respects and to have full effect according to the tenor thereof, and the Council and the Committee shall be deemed to have and to have had all powers and authorities necessary to enter into and execute the same 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 thereto:

Provided that nothing in this section shall be construed, by implication or otherwise, to close the portion of Hutt Park Road described in the said agreement or to confer on the Council any additional power to effect or arrange any such closing.

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

Authorizing
the Nelson
Institute to
sell certain land
to the present
lessee thereof.
1907 (Local),
No. 5

29. Whereas the land described in subsection four of this section is vested in the Nelson Institute, a body incorporated by the Nelson Institute Act 1907: And whereas the said land has been leased for many years and the said Nelson Institute is now desirous of selling all its estate and interest therein to the present lessee: And whereas it is desirable that provision be made accordingly: Be it therefore enacted as follows:—

(1) The Nelson Institute is hereby authorized and empowered to sell all its estate and interest in the land described in subsection four of this section to the present lessee thereof on such terms and subject to such conditions as to payment of purchase money or otherwise as the said Nelson Institute thinks fit, and on the sale the

said land shall be deemed to be freed and discharged from all trusts, reservations, and restrictions, if any, heretofore affecting the same.

5 (2) The net proceeds from the sale of the said land shall be applied by the said Nelson Institute for such purposes not inconsistent with its objects as it thinks fit.

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

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

15 All that area in the Nelson Land District, containing by admeasurement one hundred and ninety-six acres, more or less, being Sections 16 and 18 of Block VII, Tadmor Survey District, and being the whole of the land comprised and described in certificate of title, Volume 24, folio 80, Nelson Registry, but excluding therefrom the
20 railway reserve one hundred and fifty links wide intersecting the said Section 16.

30. Whereas the land described in subsection three of this section, being the site of the Te Aroha Racecourse, was set apart as a racecourse reserve by the
25 Te Aroha Recreation Ground and Racecourse Act 1892 and is vested in trustees pursuant to that Act and to the provisions of the Public Reserves, Domains, and National Parks Act 1928: And whereas it is desirable that the said land be declared Crown land subject to the
30 Land Act 1948 in order that the same may be sold to the Te Aroha Jockey Club, Incorporated, and it is also desirable that the said trustees be empowered to transfer all their assets to that club: Be it therefore enacted as follows:—

35 (1) Notwithstanding anything to the contrary in the Te Aroha Recreation Ground and Racecourse Act 1892, the setting apart of the land described in subsection three of this section as a racecourse reserve is hereby revoked and the said land is hereby declared to be
40 vested in Her Majesty as Crown land subject to the Land Act 1948.

Declaring the
Te Aroha
Racecourse
reserve to be
Crown land.
1892 (Local),
No. 4
See Reprint
of Statutes,
Vol. VI, p. 1134
1948, No. 64

(2) The trustees in whom the said land was vested prior to the passing of this Act shall, without further authority than this section, transfer and deliver to the Te Aroha Jockey Club, Incorporated, all moneys and other personal property held by them for the benefit of the said land, and the receipt of the club for any such moneys or personal property shall be a good and sufficient discharge to the trustees and shall discharge them from further liability or responsibility in connection with the said land.

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

All that area in the Piako County, South Auckland Land District, containing by admeasurement one hundred and twenty-one acres, more or less, being the northern portion of Section 5, Block XI, Aroha Survey District: as the same is more particularly delineated on the plan marked L. and S. 1/669, lodged in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Making provision for vesting the control of scenic reserves in the Ohakune district in the Ohakune Domain Board, and setting apart portion of the Ohakune Domain as a scenic reserve.

31. Whereas it is desirable that special provision be made to enable the control of certain scenic reserves in the Ohakune district to be vested in the Domain Board for the time being controlling the Ohakune Domain (at present the Ohakune Borough Council), with power for that Domain Board to apply moneys accrued from any such reserves for the betterment of the Ohakune Domain and to apply moneys derived from that domain for the administration of the scenic reserves: And whereas it is desirable that the portion of the Ohakune Domain described in subsection five of this section be set apart as a scenic reserve: Be it therefore enacted as follows:—

(1) The Governor-General may from time to time, by Order in Council, vest the control of any scenic reserve subject to the Scenery Preservation Act 1908 and situated in the Karioi or Makotuku Survey Districts in the Domain Board for the time being having the control under Part II of the Public Reserves, Domains, and National Parks Act 1928 of the Ohakune Domain upon such trusts and with such powers and subject to such conditions as are declared by any such Order in Council. Any such Order in Council shall take effect according to the tenor thereof and may be at any time in like manner amended or revoked.

See Reprint of Statutes, Vol. VIII, p. 613
Ibid., Vol. VI, p. 1148

(2) While the control of any such scenic reserve remains vested in the Domain Board as aforesaid it shall not be necessary for the Board to keep separate books of account in respect of the reserve, but all moneys derived from the reserve shall instead be paid into the Board's ordinary account and form part of its ordinary funds, and any moneys in the Board's account, whether derived from the reserve or otherwise, may be expended for the maintenance, administration, and benefit of either the reserve or the Ohakune Domain.

(3) On the making of any Order in Council under this section all previous appointments for the control of the scenic reserve affected by the Order shall be deemed to be revoked and all moneys held in respect of the scenic reserve shall be paid into the Ohakune Domain Account.

(4) The land described in subsection five of this section is hereby declared to be no longer portion of the Ohakune Domain and no longer subject to the Public Reserves, Domains, and National Parks Act 1928, and that land is hereby set apart as a scenic reserve under and subject to the Scenery Preservation Act 1908.

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

All that area in the Waimarino County, Wellington Land District, containing by admeasurement ninety-two acres one rood twenty-five perches and three-tenths of a perch, more or less, being part section 24c, Block VIII, Makotuku Survey District: as the same is more particularly delineated on the plan marked L. and S. 1/169, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Wellington S.O. Plans 16346 and 17976.)

32. Whereas in or about the year eighteen hundred and eighty-one Sections 45 and 46, Whenuakura District, Taranaki Land District, were subdivided and the plan of subdivision was deposited in the Land Registry Office at New Plymouth under number 59: And whereas the subdivision divided the said Sections 45 and 46 into nine lots and a strip of land twenty-five links wide, being the land described in subsection three of this section (in this section referred to as the access strip) for the purpose of a right of way to give access to those nine lots: And whereas the said nine lots were transferred but the access strip was retained by the subdividing owners and is still in their names: And whereas

Vesting part of Sections 45 and 46, Whenuakura District, in Her Majesty.

the Crown has acquired the nine lots and wishes to acquire the access strip in order that the said Sections 45 and 46 may be resubdivided and disposed of to ex-servicemen: And whereas it is desirable to make special provision vesting the access strip in Her Majesty as the registered proprietors thereof are no longer living: Be it therefore enacted as follows:—

1948, No. 64

(1) The access strip is hereby vested in Her Majesty as Crown land subject to the Land Act 1948 freed and discharged from all rights or interests heretofore affecting the same and shall be deemed for all purposes to have been so vested from the fourteenth day of November, nineteen hundred and fifty, being the date of acquisition by the Crown of the other portions of Sections 45 and 46, Whenuakura District.

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

(3) The access strip hereby vested in Her Majesty the Queen is particularly described as follows:—

All that area in the Patea County, Taranaki Land District, containing by admeasurement one acre three roods and twenty-nine perches, more or less, being part Sections 45 and 46, Whenuakura District, and being the balance of the land comprised and described in certificate of title, Volume 7, folio 178, Taranaki Registry. (Plan D.P. 59.)

Special provisions with respect to the leasing of portions of the Lake Okataina Scenic Reserve. See Reprint of Statutes, Vol. VIII, p. 613

33. (1) Notwithstanding anything to the contrary in the Scenery Preservation Act 1908 or in any other Act, the Minister in Charge of Scenery Preservation may grant leases in respect of the lands described in subsection six of this section (being portions of the Lake Okataina Scenic Reserve) in accordance with the provisions of this section on such terms and conditions as he thinks fit.

(2) Any lease granted pursuant to this section may authorize the erection of premises to be used as a tourist house and, notwithstanding that the said land is part of a scenic reserve the Licensing Control Commission may authorize and the appropriate Licensing Committee may issue, in their discretion, a tourist house licence in respect of the premises.

(3) Any lease under this section may be for a term of twenty-one years and may confer on the lessee a right of renewal for one further like term with a further provision that if on the expiry of the renewal term the
5 Minister and the Board or other authority at that time having control of the Lake Okataina Scenic Reserve are of the opinion that any tourist house erected on the said lands should continue in operation, then the
10 Minister may at his option purchase the improvements on the said lands or should he not wish to do so then the lessee shall have the right to a lease for two further terms of twenty-one years subject to such terms and conditions as the Minister may at that time think fit:

Provided that if on the expiry of the renewal term the
15 Minister and the Board are of the opinion that the tourist house should not continue in operation then the lessee shall have the right to remove all improvements effected by him on the said land.

(4) The rental under any lease issued pursuant to
20 this section shall be paid to the Lake Okataina Scenic Board and shall be applied by it towards the management, administration, and improvement of the reserves under its control.

(5) The District Land Registrar for the Auckland
25 Land Registration District shall, on application being made to him in that behalf by the Commissioner of Crown Lands for the South Auckland Land District and on completion of such surveys if any as may be necessary, issue a certificate of title under the Land
30 Transfer Act 1915 for the lands described in subsection six of this section in the name of Her Majesty and is hereby authorized and directed to register against any such certificate of title any lease issued under this section or any other registerable instrument affecting
35 the said land presented to him for registration.

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

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

All those areas in the South Auckland Land District, Block XVI, Rotoiti Survey District being—

40 Firstly, one acre and two roods, approximately, being part of Okataina Number 3 Block.

Secondly, two acres one rood and four perches, approximately, being part of Okataina Number 4 Block:

As the said lands are more particularly delineated on the plan marked L. and S. 4/215/1A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. (S.O. Plan 35970.)

Repeal. (7) Section seven of the Reserves and Other Lands Disposal Act 1943 is hereby repealed. 5

1943, No. 14

Vesting certain lands in Mount Maunganui Golf Lands, Limited.

1946, No. 23

34. Whereas the lands described in subsection three of this section (in this section referred to as the said lands) have become vested in Her Majesty under the provisions of section thirteen of the Land Subdivision in Counties Act 1946 as Crown land available for disposal for cash: And whereas immediately prior to the said vesting the said lands were owned by Mount Maunganui Golf Lands, Limited, a company duly incorporated under the Companies Act 1933, and having its registered office at Tauranga (in this section referred to as the company): And whereas it was agreed that the said lands would be returned to the company without fee or charge if the company transferred certain other lands on which a golf course has been constructed to the Crown by way of gift as and for the purposes of a public domain: And whereas the transfer of those other lands to the Crown has been completed and it is therefore desirable that the said lands be returned to the company: Be it therefore enacted as follows:— 25

1933, No. 29

(1) The said lands are hereby declared to be no longer subject to the provisions of section thirteen of the Land Subdivision in Counties Act 1946 and are hereby vested in the company for an estate in fee simple.

(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 without payment of any fee, to issue a certificate of title for the said lands in the name of the company and to do all such other things as may be necessary to give effect to the provisions of this section. 30

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

All those areas situated in Block VII, Tauranga Survey District, South Auckland Land District, being— 40

Firstly, all that area containing by admeasurement thirty-four perches and six-tenths of a perch, more or less, being Lot 23 on the plan deposited in the Land Registry Office at Auckland under Number S. 235 and being part of Omanu 2B 1 and 2B 2 Blocks. 45

Secondly, all those areas containing together by admeasurement one acre one rood thirty-seven perches and one-tenth of a perch, more or less, being Lots 29, 33, 42, 49, 55, 61, and 70 on the plan deposited as afore-
 5 said under Number S. 865 and being parts of Omanu 2B 1 and 2B 2 Blocks.

35. Whereas the Greymouth Harbour Board (in this section referred to as the Board) is the owner of Reserves 1778 and 1779, Block XII, Greymouth Survey
 10 District, in trust for endowment purposes: And whereas it is desired to give the Board certain leasing powers in respect of the said land: Be it therefore enacted as follows:—

Applying certain provisions as to leasing powers to Reserves 1778 and 1779, Block XII, Greymouth Survey District.

The powers conferred by subparagraphs (i), (ii), and
 15 (iii) of paragraph (e) of section one hundred and twenty-four of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913, as substituted by section seventy-five of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914 shall
 20 apply in respect of the said Reserves as if they were included in the land to which the said subparagraphs apply.

1913, No. 67
 1914, No. 70

36. Whereas by section nineteen of the Reserves and Other Lands Disposal Act 1938 certain freehold and
 25 leasehold lands then owned by the Waikato Land Settlement Society were vested in the Crown, and provision was made for disposal of those lands by way of agreement for sale and purchase with a further provision making the disposals subject to certain restrictions as to power of
 30 further alienation: And whereas portion of those lands, being Allotment 66A 2 and parts Allotment 66A 4, Waipa Parish, together with a leasehold interest in Allotment 57 of that parish, formed a block known as the Karakariki Block: And whereas that block has been subdivided and
 35 portions have been disposed of by way of agreement for sale and purchase and other portions have been set apart as reserves, but the portion thereof described in subsection two of this section has not been alienated or set
 40 apart for any special purpose and forms the residue of the block: And whereas in the year nineteen hundred and thirty-nine the Crown acquired an additional area of land, being Allotments 66A 1 and 66B 2A, Waipa Parish, adjoining the original Karakariki Block, and portions of that

Removing portion of Allotment 66A 2, Waipa Parish, from the operation of section 19 of the Reserves and Other Lands Disposal Act 1938.
 1938, No. 19

1948, No. 64

additional area have been disposed of by incorporation in agreements for sale and purchase of adjoining subdivisions of the lands acquired from the Waikato Land Settlement Society, and the balance of the additional area, comprising three hundred and forty-eight acres, more or less, remains available for disposal under the Land Act 1948: And whereas it is desirable that the balance of the aforementioned additional area be disposed of under the Land Act 1948 together with the residue of the original Karakariki Block as one holding but without the latter area being subject to the special provisions of the said section nineteen of the Reserves and Other Lands Disposal Act 1938, and it is desirable that provision be made to enable this to be done: Be it therefore enacted as follows:—

(1) The land described in subsection two of this section is hereby declared to be no longer subject to the provisions and operation of either section nineteen of the Reserves and Other Lands Disposal Act 1938 or the agreement referred to in that section, and that land is hereby declared to be vested in Her Majesty as Crown land available for disposal under the Land Act 1948.

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

All that area in the Waipa County, South Auckland Land District, situated in Block XIV, Newcastle Survey District, containing by admeasurement forty-five acres two roods and sixteen perches, more or less, being part of Allotment 66A 2, Waipa Parish: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 35864, and thereon bordered red.

Authorizing
the Wellington
City Council
to transfer
portion of the
Wellington
Town Belt
to the Crown.

37. Whereas the land described in subsection four of this section is vested in the Corporation of the City of Wellington for an estate in fee simple upon trust as a recreation ground for the inhabitants of the City of Wellington: And whereas the said land forms portion of the Wellington Town Belt: And whereas the said land is required by the Crown for the purposes of making portions thereof available as residential sites to persons whose properties have been acquired for the enlargement of the Rongotai Aerodrome: And whereas the Wellington City Council (in this section referred to as the

Council) has agreed to transfer the said lands to the Crown in return for a grant in fee simple without any trust, reservation, or restriction of certain other land of at least equal area: And whereas it is desirable
5 that the Council be empowered to effect the transfer accordingly:—

(1) The Council may transfer to Her Majesty the Queen all its estate and interest in the land described in subsection four of this section or any part or parts
10 of that land, and on registration of the transfer the lands transferred shall become freed and discharged from all trusts, reservations, and restrictions theretofore affecting the same and shall be held by Her Majesty under the Public Works Act 1928 for the purposes set
15 out in subsection one of section 30 of the Finance Act (No. 2) 1945, and may be dealt with in the manner provided by that section.

See Reprint
of Statutes,
Vol. VII, p. 622
1945, No. 45

(2) On completion of any transfer from the Council under subsection one of this section, or as soon as may
20 be convenient thereafter, the Governor-General may, without further authority than this section grant to the Corporation of the City of Wellington for an estate in fee simple in possession such area of land situated in the vicinity of Kilbirnie Park as may be agreed upon,
25 which land shall be of not less area than the portion of the Town Belt transferred to the Crown and shall be held by the said Corporation under the Municipal Corporations Act 1933.

1933, No. 30

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

(4) The land to which this section relates is particu-
35 larly described as follows:—

All that area in the Wellington Land District, City of Wellington, containing by estimation an area of nine acres two roods and twenty perches approximately, being portion of the Town Belt on the public map of the
40 Town of Wellington and being also portion of the land shown on the plan deposited in the Land Registry Office at Wellington under Number 8914 and being part of the land comprised and described in certificate of title,

Volume 401, folio 283, Wellington Registry: as the same is more particularly delineated on the plan marked L. and S. 6/11/167, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow.

Authorizing
the Auckland
City Council
to sell certain
land to the
Auckland
Metropolitan
Drainage
Board.

1944, (Local),
No. 8

38. Whereas by Proclamations dated the seventh day of September, nineteen hundred and forty-six, and the twenty-second day of May, nineteen hundred and forty-seven, and published respectively in the *Gazette* of the twelfth day of September, nineteen hundred and forty-six, and the twenty-ninth day of May, nineteen hundred and forty-seven, the lands described in subsection five of this section (in this section referred to as the said lands) and other land of which the said lands form part were taken and vested in the Mayor, Councillors, and Citizens of the City of Auckland for a recreation ground: And whereas the said lands are not required for that purpose and it is expedient that the Auckland City Council (in this section referred to as the Council) should be authorized to sell the same to the Auckland Metropolitan Drainage Board, a body corporate constituted under the Auckland Metropolitan Drainage Act 1944 (in this section referred to as the Board) on condition that the net proceeds of the sale shall be applied by the Council in or towards the purchase of other lands to be held by the Council for the same purposes as affected the said lands: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Council may from time to time, without further authority than this section, sell to the Board, and the Board may purchase, the said lands or any part or parts thereof freed and discharged from the trusts, reservations, and restrictions theretofore affecting the same. Any such sale may be for cash or upon terms and subject to such conditions and reservations of easements or otherwise as the Council may decide.

(2) The proceeds of the sale of the said lands shall be paid by the Council into a separate account and shall be applied by the Council in or towards the purchase of other land or lands to be held for the same purposes as heretofore affected the said lands.

(3) The Board may erect dwellings on any lands transferred to it under this section for occupation by persons employed in the service of the Board or persons

in the service of contractors carrying on works for the Board, and may make reasonable charges for the tenancy or occupation of any such dwellings, and for the purposes of section fifty-six of the Auckland Metropolitan Drainage Act 1944 the erection of dwellings under this subsection shall be deemed a purpose of that Act. In the event of any dwelling erected on the said land under this subsection being no longer required the Board may sell, let, or otherwise dispose of it in such manner and on such terms as the Board thinks fit.

1944 (Local),
No. 8

(4) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to deposit such plans, make such entries in the register books, and generally 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:—

20 All those areas in the North Auckland Land District, City of Auckland, situated in Block IX, Rangitoto Survey District, being—

25 Firstly, all that area containing fourteen acres three roods twenty-six perches and eight-tenths of a perch, approximately, being Lot 1 on the plan deposited in the Land Registry Office at Auckland under Number 19152 and part of Lots 8 and 9 on the plan deposited as aforesaid under Number 15709, being part of Allotments 20 and 21, District of Tamaki.

30 Secondly, all that area containing one acre and twenty perches, approximately, being part of Lot 10 on the plan deposited as aforesaid under Number 15709, being part of Allotment 19, District of Tamaki:

35 As the same are more particularly delineated on the plan marked L. and S. 6/1/748E, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (S.O. Plan 37541.)

40 39. Whereas on the twenty-second day of January, nineteen hundred and forty-two, the registration of the Inangahua Gold and Coal Miners' Industrial Union of Workers, No. 82, was cancelled: And whereas new unions were subsequently formed under the name of

1944 (Local),
No. 8

1944 (Local),
No. 8

Vesting certain
land in Reefton
Working Men's
Club and
Mutual School
of Arts.

the Inangahua Gold and Coal Miners' Industrial Union of Workers and the Waituta Quartz Goldminers' Industrial Union of Workers respectively and having as members persons who were members of the former union: And whereas at the date of the cancellation of the registration of the Inangahua Gold and Coal Miners' Industrial Union of Workers, No. 82, that union was the registered proprietor of the land described in subsection two of this section, but no action was taken before that date for the disposition of the land: And whereas at separate meetings of the two unions subsequently formed resolutions were passed that the said land should be vested in the Trustees of the Reefton Working Men's Club and Mutual School of Arts, a society registered under the Friendly Societies Act 1909: And whereas it is desirable that the land be vested accordingly: Be it therefore enacted as follows:—

(1) The land described in subsection two of this section is hereby declared to be vested in the Trustees of the Reefton Working Men's Club and Mutual School of Arts, and the District Land Registrar for the Land Registration District of Nelson is hereby authorized and directed to register those trustees as the proprietors of an estate in fee simple in the land and to issue such documents and make such entries in the register book as may be necessary to give effect to the provisions of this section.

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

All that area in the Nelson Land District containing by admeasurement 24 perches, more or less, being part of Sections 244, 245, and 246, Town of Reefton, and being the whole of the land comprised and described in certificate of title, Volume 12, folio 253, Nelson Registry.

40. Whereas by the Wellington Harbour Board Reclamation and Empowering Act 1908 certain lands were vested in the Wellington Harbour Board (in this section referred to as the Board) which was empowered to reclaim portions thereof from the sea: And whereas it is expedient that some parts of those lands (being the lands firstly described in subsection six of this section) should be used for the extension northwards of the Rongotai Aerodrome and other parts for various purposes arising in connection with the development of the

See Reprint
of Statutes,
Vol. III, p. 461

Provisions as
to reclamation
of lands in
Lyll Bay and
Evans Bay and
for the vesting
of certain other
land in the
Wellington
Harbour Board.
1908 (Local),
No. 40

aerodrome: And whereas the Crown proposes to acquire those parts of the said lands and, with the consent of the Board, has commenced to reclaim those parts: And whereas by section twenty of the Reserves and Other
5 Lands Disposal Act 1936 and the agreement therein referred to the Board was authorized to reclaim an area of approximately two hundred and forty-five acres therein described (in this section referred to as the Point Howard land) which were to vest in the
10 Board as and when so reclaimed: And whereas it will facilitate arrangements for the reclamation of the Point Howard land if that land is vested in the Board before reclamation: And whereas by the Wellington City Reclamation and Empowering Act 1936 the Corporation
15 of the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the Corporation) was authorized to reclaim certain lands at Lyall Bay: And whereas the said lands at Lyall Bay have not yet been reclaimed by the Corporation and it is now
20 expedient that for the purpose of extending the said aerodrome the said lands at Lyall Bay and certain other lands at Lyall Bay be reclaimed by Her Majesty the Queen and that the Wellington City Reclamation and Empowering Act 1936 be repealed: Be it therefore
25 enacted as follows:—
(1) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1950.
(2) The Minister of Works is hereby authorized and empowered, subject to agreement by the Board, to
30 reclaim from the sea the lands firstly described in subsection six of this section, and on the reclamation of the said lands by the Crown all rights of the Board in respect of that land under the Wellington Harbour Board Reclamation and Empowering Act 1908 shall be deemed
35 to be extinguished.
(3) The Point Howard land is hereby vested in the Board for the same purposes and subject to the same terms and conditions as if it had been reclaimed by the Board under section twenty of the Reserves and Other
40 Lands Disposal Act 1936.
(4) The Minister of Works is hereby authorized and empowered to reclaim from the sea the land secondly described in subsection six of this section, and the Wellington City Reclamation and Empowering Act 1936
45 is hereby repealed.

1936, No. 49

1936 (Local),
No. 2

1950, No. 34

Repeal.

(5) Section twenty of the Reserves and Other Lands Disposal Act 1936 and the agreement therein referred to shall hereafter be read subject to the provisions of this section.

(6) The lands which the Minister of Works is authorized to reclaim from the sea under subsections two and four of this section are described as follows:—

Firstly, all that area at the southern end of Evans Bay containing approximately one hundred and two acres, being part of the land vested in the Board by the Wellington Harbour Board Reclamation and Empowering Act 1908, and shown edged red on the plan marked M.D. 9453, deposited in the office of the Minister of Marine:

Secondly, all that area lying south of the aerodrome containing approximately fifty-two acres, shown edged red on the plan marked M.D. 9454, deposited in the office of the Minister of Marine.