

[AS REPORTED FROM THE LANDS COMMITTEE]

House of Representatives, 19 October 1960

Words struck out by the Lands Committee are shown in roman enclosed in panel; words inserted are shown in roman with double rule down side.

Hon. Mr Skinner

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

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A BILL INTITULED

An Act to provide for the sale, reservation, and other disposition of certain reserves, Crown lands, endowments, and other lands, to validate certain transactions, and to make provision in respect of certain other matters 5

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

1. **Short Title**—This Act may be cited as the Reserves and Other Lands Disposal Act 1960. 10

2. **Authorising issue of a special lease over portion of sounds foreshore reserve, Tory Channel**—Whereas by a notice issued pursuant to section 17 of the Reserves and Other Lands Disposal Act 1955 dated the twelfth day of February, nineteen hundred and sixty, and published in the *Gazette* of the eighteenth day of that month, that portion of Government road fronting Lot 3, D.P. 1519, described in subsection (4) of this section (in this section referred to as the said land) was declared to be subject to the Reserves and Domains Act 1953 as a public reserve for sounds foreshore purposes: And whereas situated partly on the said land and partly on adjoining foreshore is a whale factory owned by J. A. Perano & Co. Limited (in this section referred to as the Company) incorporated under the Companies Act 1955: And whereas the Company occupies part of the said land and adjoining foreshore (together forming the site of the whale factory) under a licence issued to Joseph Henry Perano and Gilbert Thomas Perano under the provisions of the Whaling Industry Act 1935: And whereas the balance of the said land has been held by the Company under temporary licence issued under the Land Act 1948: And whereas the last-mentioned licence has expired and in the interests of its business the Company desires a long-term lease granting it exclusive occupation of the said land: And whereas no authority exists for the granting of such a long-term lease: And whereas the Company is prepared to allow the general public to have the right to use the track over the Company's land at the back of the said land so as to maintain continuity of access along the sounds foreshore reserves, and has agreed to maintain the track in good order: And whereas the said land is not required for use for sounds foreshore purposes and it is desirable to grant the Company a long-term lease of the said land: Be it therefore enacted as follows: 15 20 25 30 35 40

(1) Notwithstanding anything to the contrary in section 17 of the Reserves and Other Lands Disposal Act 1955 or in any other Act or rule of law, the Minister of Lands may grant a lease to the Company to exclusively occupy the said land or any portion thereof, for a term of twenty-one years, with or without a perpetual right of renewal, but with no right of acquiring the fee simple, at such rent and upon such other terms and conditions as the Minister thinks fit:

Provided that should at any time the said land so leased be no longer required or used for the purpose of a site for a whale factory, then the lease thereof shall immediately determine and the land revert to the Crown for use as a reserve for sounds foreshore purposes freed from all rights, title, and interest therein on the part of the Company.

(2) Any lease, surrender, or other instrument that is required to be executed for the purpose of giving effect to the provisions contained in this section authorising the leasing of the said land may be executed by the Commissioner of Crown Lands for the Marlborough Land District, and any such instrument that is so executed shall not require to be executed by or on behalf of the Minister of Lands and shall be deemed to be validly executed for all purposes.

(3) The District Land Registrar for the Land Registration District of Marlborough is hereby authorised and directed, on the production of such plans and other particulars as he may require, to register any lease executed under the provisions of this section and submitted to him for registration.

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

All that area in the Marlborough Land District containing one acre one rood twenty perches, more or less, being part Sounds Foreshore Reserve situated in Block V, Arapawa Survey District, bounded by a line commencing at a point on the mean high-water mark of Fishermans Bay due west of peg XX on S.O. Plan 296 and proceeding due west to a point distant one chain from the said mean high-water mark; thence northerly and easterly along a line parallel to and distant one chain from the mean high-water mark of the said Fishermans Bay (as defined on the said plan 296) to a right line forming the south-eastern boundary of Lot 3, Deposited Plan 1519; thence south-westerly along a right line being the production of the said south-eastern boundary of Lot 3 to the mean high-water mark; thence westerly and southerly along the said mean high-water mark to the point of commencement;

as shown on the plan marked L. and S. 22/3028/25A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 296).

3. Declaring certain endowment land in Rotorua County to be Crown land subject to the Land Act 1948—Whereas 5
by a notice dated the twenty-ninth day of April, nineteen hundred and one, and published in the *Gazette* of the second day of May in that year, at page 988, the land described in subsection (2) of this section was reserved under the Land Act 1892 as a municipal endowment: And whereas the said 10
land is no longer required as a municipal endowment and it is desirable that it should be declared Crown land subject to the Land Act 1948: Be it therefore enacted as follows:

(1) The reservation as an endowment for municipal purposes over the land described in subsection (2) of this section 15
is hereby cancelled and the said land is hereby declared to be Crown land available for disposal under the Land Act 1948, freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.

(2) The land to which this section relates is particularly 20
described as follows:

All that area in the South Auckland Land District, being Section 5, Block XXIV, Mamaku Village, situated in Block XIV, Rotorua Survey District, containing one acre, more or less: as shown on the plan marked L. and S. 6/1/377, 25
deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 11240).

4. Dissolution of Balclutha Athenaeum and provisions incidental thereto—Whereas the land described in subsection 30
tion (7) of this section (in this section referred to as the said land) is vested in the Balclutha Athenaeum, a body corporate under the Balclutha Athenaeum Act 1877 (in this section referred to as the Athenaeum), and is held by the said 35
body corporate in trust for the purposes of the Athenaeum: And whereas the only present function of the Athenaeum is the administration of the revenue derived from the leasing of the said land: And whereas this revenue has for many years been invested in local body loans or has been applied towards the maintenance of the Balclutha Public Library under the 40
control and management of the Corporation of the Borough of Balclutha (in this section referred to as the Corporation): And whereas the Corporation is willing to undertake the

future control and maintenance of the said land and to apply the revenue derived therefrom for the purposes of the Balclutha Public Library provided that the property and assets of the Athenaeum are vested in it: And whereas the
5 Athenaeum has agreed to such action and it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:

(1) The Balclutha Athenaeum Act 1877 is hereby repealed and the Athenaeum dissolved.

10 (2) Notwithstanding anything to the contrary in any Act or rule of law, the said land is hereby vested in the Corporation for an estate in fee simple as an endowment for library purposes, without power of sale, freed and discharged from all trusts heretofore affecting the same, but subject to all
15 leases, liens, encumbrances, easements, and other restrictions heretofore affecting the said land.

(3) All personal property of whatsoever nature, including all choses in action and the benefit of all contracts and agreements and all rights and powers exercisable thereunder
20 or pertaining thereto, belonging to the Athenaeum, are hereby vested in the Corporation, freed from all trusts heretofore affecting the same, and all debts, liabilities, and engagements lawfully incurred or entered into by the Athenaeum and existing on the passing of this Act shall hereafter be debts,
25 liabilities, and engagements of the Corporation and the Corporation shall pay or discharge the said debts, liabilities, and engagements and shall meet the cost of so doing out of its ordinary revenue.

(4) All actions of the Athenaeum in administering the
30 said land, and in applying rents derived from leases thereover and income from its investments, towards the maintenance of the Balclutha Public Library, are hereby validated and declared to have been lawful in all respects.

(5) The Corporation shall expend the net revenue received
35 from the said land and all money received by it under subsection (3) of this section or derived from property vested in it by that subsection for library purposes.

(6) The District Land Registrar for the Land Registration District of Otago is hereby authorised and directed to make
40 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 land hereby vested in the Corporation is described as follows:

All those areas in the Otago Land District, being Section 1, Block VI, Warepa Survey District, and Section 16, Block IX, Kuriwao Survey District, containing six hundred acres, more or less, and being all the land comprised and described in certificates of title, Volume 61, folios 167 and 168, Otago Registry (S.O. Plans 751 and 8770). 5

5. Change of purpose of the Blueskin Athenaeum and provisions incidental thereto—Whereas Sections 7 and 8, Block X, Town of Blueskin, were reserved as a site for an athenaeum by a notice in the *Otago Provincial Gazette*, dated the eighth day of November, eighteen hundred and seventy-three: And whereas by the Blueskin Athenaeum Reserve Act 1876 (in this section referred to as the said Act), the said Sections 7 and 8 were vested in trustees to be known as the Trustees of the Blueskin Athenaeum, a body corporate: And whereas by section 86 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914, parts of the said Sections 7 and 8 were taken for road purposes and in exchange part Section 9, Block X, Town of Blueskin, was declared to form part of the site for an athenaeum and vested in the Trustees of the Blueskin Athenaeum: And whereas the parts Sections 7, 8, and 9 aforesaid, being the land described in subsection (9) of this section (in this section referred to as the endowment area), have not been used as a site for an athenaeum, but have been leased in terms of the said Act: And whereas there are no longer any trustees appointed in terms of the said Act: And whereas the library serving the Town of Blueskin and surrounding district is situated on the land described in subsection (10) of this section: And whereas the limited title to this land is in the name of the Waitati Library Club: And whereas the Waitati Library Club has become incorporated in terms of Part II of the Libraries and Mechanics' Institutes Act 1908 under the name of the Waitati Library Club (in this section referred to as the Club): And whereas the Club at present administers the endowment area and applies the rents derived therefrom towards the cost of running the present library: And whereas the lessees of the endowment area desire to erect substantial homes thereon and therefore desire to obtain perpetually renewable leases: And whereas the Club desires to comply with this request but has no statutory authority to do so: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows: 10
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(1) The Blueskin Athenaeum Act 1876 is hereby repealed and the Athenaeum dissolved.

(2) Notwithstanding anything to the contrary in any Act or rule of law, the endowment area is hereby declared to be
5 vested in the Club in trust as an endowment for library purposes, without power of sale, freed and discharged from all trusts heretofore affecting the same, but subject to all leases, liens, encumbrances, easements, and other restrictions heretofore affecting the area.

10 (3) All the personal property of whatsoever nature, including the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto, belonging to the Athenaeum, are hereby vested in the Club freed from all trusts heretofore affecting the same, and all
15 debts and other liabilities lawfully incurred by the Trustees of the Blueskin Athenaeum and existing on the passing of this Act shall hereafter be debts and liabilities of the Club.

(4) All actions of the Club before the passing of this section in administering the endowment area and in applying the
20 rents derived from leases thereover for the purposes of the library established on the land described in subsection (10) of this section are hereby validated and declared to have been lawful in all respects.

(5) The Club shall expend the net revenue received from
25 the endowment area exclusively for the improvement and maintenance of the library established on the land described in subsection (10) of this section.

(6) The Club shall on the expiry of each current lease of part of the endowment area, or by agreement with the
30 lessee, before expiry, grant to the lessee, if he so desires, a lease of the part occupied by him under his current lease for a term of twenty-one years with a perpetual right of renewal.

(7) For the purpose of dealing with the leasing of the endowment area the Club is hereby declared to be a leasing
35 authority within the meaning of the Public Bodies' Leases Act 1908.

(8) The District Land Registrar for the Land Registration District of Otago is hereby authorised and directed to accept such documents for registration, to deposit such plans, to
40 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.

(9) The land vested in the Club as an endowment for library purposes is described as follows.

All that area in the Otago Land District, being parts Sections 7, 8, and 9, Block X, Town of Blueskin, containing two roods fifteen perches and three-tenths of a perch, more or less, and being the balance of the land comprised and described in certificate of title, Volume 11, folio 291, and Volume 20, folio 159, Otago Registry (S.O. Plan 9923). 5

(10) The land on which the Club's library is situated is described as follows:

All that area in the Otago Land District, being part Lot 11, Block VI, Deeds Plan 123, Township of Merchiston, and being part Section 45, Block I, North Harbour and Blueskin Survey District, containing ten perches, more or less, and being all the land comprised and described in certificate of title, Volume 301, folio 66 (limited as to parcels), Otago Registry: as shown on the plan marked L. and S. 6/1/31A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. 15

6. Cancelling the vesting of land held in trust by the Taranaki Harbour Board and declaring that land to be vested in Her Majesty as an addition to the Mount Moturoa Domain—Whereas the land described in subsection (4) of this section was by a memorandum of transfer dated the nineteenth day of April, eighteen hundred and eighty-six, and registered as T. 3356 in the Land Registry Office at New Plymouth, transferred to and vested in the New Plymouth (now Taranaki) Harbour Board in trust for the construction and maintenance of such docks, piers, and other works as might be deemed advisable by the said Harbour Board for facilitating the trade and commerce of the Town and Port of New Plymouth: And whereas the said land is not required for the purposes mentioned, but is suitable for recreational purposes: And whereas it is in the public interest that the said land should be administered and developed for recreational purposes: And whereas the Taranaki Harbour Board has agreed to transfer the land to Her Majesty as an addition to the Mount Moturoa Domain, subject to certain conditions, but has no statutory authority to do so: Be it therefore enacted as follows: 20 25 30 35

(1) Notwithstanding anything to the contrary in the Harbours Act 1950 or in any other Act or rule of law, but subject to the provisions of subsection (2) of this section, the 40

- vesting in the Taranaki Harbour Board of the land described in subsection (4) of this section is hereby cancelled and the said land is hereby declared to be vested in Her Majesty as a public domain subject to the provisions of Part III of the
- 5 Reserves and Domains Act 1953, and to form part of the Mount Moturoa Domain under the control of the Mount Moturoa Domain Board, but otherwise freed and discharged from all trusts, reservations, or restrictions heretofore affecting the said land.
- 10 (2) Notwithstanding the provisions of subsection (1) of this section, the Taranaki Harbour Board shall be entitled at any time, subject to the provisions of the Harbours Act 1950, and any regulations made under that Act, to erect any building, structure, installation, equipment, or appliance on the
- 15 said land for the purpose, if considered necessary by it, of a navigational aid, and the said Board and any person authorised by it shall at all times have full and free rights of access to any such building, structure, installation, equipment, or appliance.
- 20 (3) The District Land Registrar for the Land Registration District of Taranaki is hereby authorised 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 (4) The land to which this section relates is particularly described as follows:
- All that area in the Taranaki Land District, being part Section 811, Grey District (Block IV, Paritutu Survey District), situated in the City of New Plymouth, containing one
- 30 acre three roods thirty-four perches and one-tenth of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 144, folio 101, Taranaki Registry: as shown on the plan marked L. and S. 1/1449A, deposited in the Head Office, Department of Lands
- 35 and Survey, at Wellington, and thereon edged red (S.O. Plan 9170).

- 7. Exchange of portion of Kororareka Domain for portion of a public cemetery**—Whereas the land described in subsection (3) of this section is portion of an area vested in the
- 40 Russell Town Board (now the Russell Town Council) in trust as a site for a public cemetery by an Order in Council dated the twenty-second day of August, nineteen hundred and

twenty-seven, and published in the *Gazette* of the twenty-fifth day of that month: And whereas the said land has not been used and is unsuitable for cemetery purposes, but is suitable for development and use for recreation purposes: And whereas that portion of the Kororareka Domain described in subsection (4) of this section is unsuitable for recreation purposes, but is suitable for cemetery purposes: And whereas it is in the public interest that the said areas should be exchanged for each other, and it is desirable that provision should be made to effect the exchange: Be it therefore enacted as follows:

(1) The vesting in the Russell Town Council in trust as a site for a public cemetery of the land described in subsection (3) of this section is hereby cancelled, and the said land is hereby declared to be a reserve for recreation purposes and to form part of the Kororareka Domain under the control of the Russell Town Council acting as the Kororareka Domain Board under and subject to the provisions of Part III of the Reserves and Domains Act 1953.

(2) The reservation for recreation purposes of that portion of the Kororareka Domain described in subsection (4) of this section is hereby cancelled, and the said land, notwithstanding the provisions of section 60 of the Cemeteries Act 1908, is hereby declared to be a reserve for the purposes of a public cemetery, and to be vested in the Chairman, Councillors, and Citizens of the Town District of Russell in trust for those purposes.

(3) The land to which subsection (1) of this section relates is described as follows:

All that area in the North Auckland Land District, being part Section 6, Block I, Russell Survey District, containing four acres two roods seven perches and four-tenths of a perch, more or less: as shown on the plan marked L. and S. 2/512A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 41899).

(4) The land to which subsection (2) of this section relates is described as follows:

All that area in the North Auckland Land District, being Lot 65, D.P. 16246, being part Old Land Claim 128, situated in Block I, Russell Survey District, containing four acres and thirteen perches and six-tenths of a perch, more or less: as shown on the plan marked L. and S. 2/512B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

8. Authorising Gore Borough Council to sell certain land—

Whereas by an Order in Council dated the third day of October, nineteen hundred and twenty-seven, issued under the provisions of section 36 of the Reserves and Other
5 Lands Disposal Act 1926 and published in the *Gazette* of the sixth day of October, nineteen hundred and twenty-seven, the land described in subsection (4) of this section was vested in the Corporation of the Borough of Gore (in this section referred to as the Corporation), in trust, without power of sale,
10 as a municipal endowment: And whereas the said land is no longer required for that purpose: And whereas the greater part of the said land is leased as permanent depots for the holding and distribution of oil products: And whereas it is expedient that the Gore Borough Council (in this section
15 referred to as the Council) should be empowered to dispose of the said land and apply the proceeds thereof in the manner hereinafter provided: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Council may sell the land described in
20 subsection (4) of this section, or any part or parts thereof, in such manner, on such terms, and subject to such conditions, as it thinks fit, and on the sale of any such land all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.

25 (2) The net proceeds from the sale of the said land shall be paid into a separate account and shall be applied in or towards the cost of purchasing additional land for public reserves or for the development or improvement of the public reserves from time to time controlled by or vested in the
30 Council or the Corporation, and any money accruing by way of interest on sums so held in trust by the Council shall be used or expended by it for the said purposes heretofore mentioned.

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

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

All those areas of land in the Southland Land District, situated in the Borough of Gore, being Lots 1, 2, 16, 17, and 18 on Deposited Plan 2971, being part of Block "f", Town Belt Reserve, Town of Gore, containing one acre one rood thirty-five perches and two-tenths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 137, folio 30, Southland Registry: as the same is shown on the plan marked L. and S. 6/1/1118, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue, sepia, and orange (S.O. Plan 6711).

9. Vesting certain land held by trustees in Her Majesty as an addition to the Tasman Memorial Domain—Whereas, by memorandum of transfer registered in the Land Registry Office at Nelson under Number 13266, the land described in subsection (3) of this section, known as the Tasman Recreation Ground (in this section referred to as the said land), was transferred to Arthur McKee of Nelson, orchardist, and Frederick Edgar Nottage, Harold Percy Dodson, Herbert Alison Permin, and Edmund Townshend all of Tasman, orchardists, for an estate in fee simple, and those persons (in this section referred to as the trustees) held the said land in trust under a Declaration of Trust (in this section referred to as the said deed) dated the ninth day of June, nineteen hundred and fifteen, and deposited in the Land Registry Office at Nelson under Number 37, as and for a public reserve and recreation ground for the pleasure and benefit of the residents of a district specified in the said deed: And whereas there are now no trustees in terms of the said deed: And whereas the said land has not been used or developed for recreation purposes owing to restrictions on its use set out in the said deed: And whereas it is desirable that the said land should be declared a public domain: And whereas the Tasman Memorial Domain Board desires to administer and develop the said land for recreation purposes as an addition to the Tasman Memorial Domain: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act or rule of law, the land described in subsection (3) of this section is hereby declared to be no longer vested in the trustees, and the said land is hereby declared to be vested in Her Majesty as a public domain subject to the provisions of

Part III of the Reserves and Domains Act 1953, and to form part of the Tasman Memorial Domain under the control of the Tasman Memorial Domain Board, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said land.

(2) The District Land Registrar for the Land Registration District of Nelson is hereby authorised 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 land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, situated in Block I, Moutere Survey District, containing six acres, more or less, being Lot 7, D.P. 564, being part Section 17, District of Moutere Hills, and being all the land comprised and described in certificate of title, Volume 39, folio 181, Nelson Registry.

10. Authorising the exchange, sale, and other disposition of land in the Borough of Stratford, and provisions incidental thereto—Whereas the land firstly described in subsection (9) of this section is vested in Her Majesty for recreation purposes subject to Part III of the Reserves and Domains Act 1953, and forms part of the Stratford Domain under the control of the Stratford Borough Council acting as the Stratford Domain Board: And whereas the land secondly described in subsections (9) and (10) of this section is vested in the Mayor, Councillors, and Citizens of the Borough of Stratford (in this section referred to as the Corporation) as an endowment in aid of municipal funds: And whereas the land thirdly described in subsection (9) of this section is reserved for municipal purposes: And whereas the land fourthly described in subsection (9) of this section and the land firstly described in subsection (10) of this section form portions of a legal street known as Ariel Street: And whereas the land thirdly described in subsection (10) of this section is vested in the Corporation for an estate in fee simple: And whereas the land fourthly described in subsection (10) of this section was purchased by the Corporation pursuant to section 32 of the Public Works Act 1928 for the purposes of a recreation ground: And whereas the land fifthly described in subsection (10) of this section was purchased by the Corporation as a site for the quarrying of road metal or other material for road making, and is held subject to certain rights created by a memorandum

of transfer registered in the Land Transfer Office at New Plymouth under No. 9284: And whereas the portions of Ariel Street hereinbefore referred to are not required as street, and all the other pieces of land are no longer required for the purposes for which they are held: And whereas the Corporation desires to acquire an estate in fee simple, freed and discharged from all trusts, reservations, and restrictions, in the land described in subsection (9) of this section in order to effect the sale thereof: And whereas the Corporation has agreed to the land described in subsection (10) of this section being added to the Stratford Domain, and has also agreed to the proceeds of the sale of the land described in subsection (9) of this section being applied in or towards the maintenance, improvement, development, or extension of the said Stratford Domain: And whereas it is desirable and expedient to give effect to the aforesaid proposals: Be it therefore enacted as follows:

(1) The reservation for recreation purposes of that portion of the Stratford Domain firstly described in subsection (9) of this section is hereby cancelled, and the said land is hereby declared to be no longer part of the said domain.

(2) The reservation as an endowment in aid of municipal funds of the land secondly described in subsections (9) and (10) of this section, and the vesting of the said land in the Corporation in trust for that purpose are hereby cancelled.

(3) The reservation for municipal purposes of the land thirdly described in subsection (9) of this section is hereby cancelled.

(4) The portions of Ariel Street fourthly described in subsection (9) and firstly described in subsection (10) of this section are hereby declared to be closed.

(5) Notwithstanding anything to the contrary in any Act or rule of law, the land described in subsection (9) of this section is hereby declared to be vested for an estate in fee simple in the Corporation freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same and the Corporation is hereby empowered to sell the said land or any part thereof by public auction, public tender, or private contract, or partly by one and partly by the other of such modes of sale, and either in one lot or in subdivisions as the Corporation may in its discretion decide, but subject to such conditions as to title, time, or mode of payment of purchase money or otherwise, as it thinks fit, and with or without a grant or reservation of rights of way, rights of

water easements, drainage easements, or other rights, privileges or easements in favour of the purchaser or the said Corporation, or any other person.

5 (6) The net proceeds from the sale of the land described in subsection (9) of this section or of any part thereof shall be paid into the Corporation's domain account and applied towards the maintenance, improvement, development, or extension of the Stratford Domain.

10 (7) Notwithstanding anything to the contrary in any Act or rule of law, the trusts, reservations, rights, and conditions affecting the land described in subsection (10) of this section, save only the rights created by transfer No. 9284 in respect of the land fifthly so described, are hereby cancelled, and the said land is hereby declared to be vested in Her Majesty as
15 a public domain subject to the provisions of Part III of the Reserves and Domains Act 1953, and to form part of the Stratford Domain under the control of the Stratford Borough Council acting as the Stratford Domain Board.

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

25 (9) The land vested in the Corporation for an estate in fee simple by subsection (5) of this section is particularly described as follows:

30 Firstly, all those areas in the Taranaki Land District, being Sections 542 to 551 (inclusive), 574 to 581 (inclusive), 607 to 619 (inclusive), and 639 to 651 (inclusive), Town of Stratford, containing eleven acres, more or less: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red and green.

35 Secondly, all those areas in the Taranaki Land District, being Sections 552 to 554 (inclusive) and 584 to 586 (inclusive) Town of Stratford, containing one acre two roods, more or less, and being part of the land comprised and described in certificate of title, Volume 70, folio 113, Taranaki Registry:
40 as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

Thirdly, all those areas in the Taranaki Land District, being Sections 582 and 583, Town of Stratford, containing two roods, more or less: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red. 5

Fourthly, all that area in the Taranaki Land District, being part Ariel Street, between Romeo Street and Warwick Road, containing two acres one rood one perch and six-tenths of a perch, more or less: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured burnt sienna and hatched green. 10

(10) The land vested in Her Majesty as public domain by subsection (7) of this section is particularly described as follows: 15

Firstly, all that area in the Taranaki Land District, being part Ariel Street, between Regan Street and Fenton Street, containing two acres two roods and seventeen perches, more or less: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured burnt sienna and edged yellow. 20

Secondly, all those areas in the Taranaki Land District, being Sections 34, 35, 77, and 78, Town of Stratford, containing one acre, more or less, and being part of the land comprised and described in certificate of title, Volume 70, folio 113, Taranaki Registry: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue. 30

Thirdly, all those areas in the Taranaki Land District, being Sections 1024 (certificate of title, Volume 174, folio 83, Taranaki Registry), 1036 to 1038 (inclusive), Town of Stratford, and Sections 125 and 126, Block I, Ngaere Survey District, containing six acres thirty-two perches and fifty-nine one-hundredths of a perch, more or less: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured purple. 35

Fourthly, all that area in the Taranaki Land District, being Section 508, Town of Stratford, containing one rood, more or less, and being all the land comprised and described in certificate of title, Volume 14, folio 32, Taranaki Registry: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue. 40 45

Fifthly, all that area in the Taranaki Land District, being part Lot 18, D.P. 3025, being part Section 78, Block II, Ngaere Survey District, containing four acres two roods thirteen perches and six-tenths of a perch, more or less, and
5 being all the land comprised and described in certificate of title, Volume 94, folio 239, subject to certain rights created by Transfer No. 9284, Taranaki Registry: as shown on the plan marked L. and S. 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and
10 thereon coloured blue.

11. Authorising disposition of certain money derived from the operation of the Land Subdivision in Counties Act 1946—

Whereas the land described in subsection (2) of this section is known as Bledisloe Park and is vested in the Bledisloe
15 Park Board (in this section referred to as the Park Board), a body corporate constituted under the provisions of section 8 of the Maori Purposes Act 1934, for an estate in fee simple as and for a park or pleasure ground: And whereas it is in the public interest that money held in the Land Settlement
20 Account and derived from the operation of the Land Subdivision in Counties Act 1946 should be paid to the Park Board for the development and improvement of the Park: And whereas there is no statutory authority enabling this to be done, and it is desirable that provision should be made
25 accordingly: Be it therefore enacted as follows:

(1) For the purposes of paragraph (c) of subsection (2) of section 14 of the Land Subdivision in Counties Act 1946 the Park Board shall be deemed to be a public body and the
30 land known as Bledisloe Park shall be deemed to be vested in that body for the purpose of public recreation.

(2) The land known as Bledisloe Park is particularly described as follows:

All that area in the South Auckland Land District, being Maketu A127 Block, situated in Block I, Otutara Survey
35 District, and Block I, Waihi South Survey District, containing eleven acres one rood and twenty-one perches, more or less: as shown on the plan marked L. and S. 1/1038, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (M.L. Plans 15980 and
40 153082).

12. Effecting a change of purpose of land vested in Rotorua High School Board and providing for application of net revenue derived therefrom—Whereas the land described in subsection (4) of this section (in this section referred to as the said land) is vested in the Rotorua High School Board (in this section referred to as the Board) as an endowment for a secondary school in the Borough of Rotorua under the provisions of section 12 of the Reserves and Other Lands Disposal Act 1926: And whereas the Minister of Education entered into an agreement with the Board as to the application of the net revenue from the said land for various purposes of the Rotorua High School, and the carrying out of the said agreement was authorised by section 8 of the Reserves and Other Lands Disposal Act 1928: And whereas there are now two secondary schools in Rotorua, and it is desirable that the net revenue from the said land should be available for expenditure for purposes connected with those schools and also with any other secondary school or schools that may hereafter come under the control of the Board: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act or rule of law, the reservation of the said land as an endowment for a secondary school in the Borough of Rotorua is hereby cancelled and the said land is hereby declared to be vested in the Board in trust as an endowment for secondary schools under the control of the Board.

(2) The agreement dated the sixteenth day of December, nineteen hundred and twenty-seven, between the Minister of Education and the Board and referred to in section 8 of the Reserves and Other Lands Disposal Act 1928 is hereby cancelled.

(3) Notwithstanding anything to the contrary in the Education Act 1914, or in any other Act or rule of law, the net revenue (after payment of all administration charges) received by the Board from the said land shall be applied for purposes connected with secondary schools controlled by the Board in accordance with arrangements to be made from time to time in that behalf between the Minister of Education and the Board.

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

All that area in the South Auckland Land District, situated in the Borough of Rotorua, being Blocks XLIII, XLIV, XLV, XLVI, and XLVII, Town of Rotorua, containing

sixteen acres and eighteen perches, more or less: as shown on the plan marked L. and S. 6/6/254b, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

5 (5) Section 12 of the Reserves and Other Lands Disposal Act 1926 and section 8 of the Reserves and Other Lands Disposal Act 1928 are hereby repealed.

(6) This section shall come into force on the first day of February, nineteen hundred and sixty-one.

10

Struck Out

13. Adding certain land to the Mount Benger Rabbit District—Whereas section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 excluded the land described in subsection (3) of this section
15 from the Mount Benger Rabbit District as there were no rabbits on the said land: And whereas it has been found that rabbits do now exist on the said land and it is essential that they be exterminated: And whereas it is desirable and expedient that the said land should form part of the Mount
20 Benger Rabbit District: Be it therefore enacted as follows:
(1) The land described in subsection (3) of this section is hereby declared to form part of the Mount Benger Rabbit District and the boundaries of that district are hereby altered to include the said land.
25 (2) Section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is hereby repealed.
(3) The land to which this section relates is particularly described as follows:
30 All that area in the Otago Land District, Tuapeka County, containing 8,500 acres, more or less, bounded by a line commencing at the north-western corner of Run 500, Teviot Survey District, and proceeding easterly along the northern boundary of that run, a distance of 112 chains approximately to a snow fence; thence southerly along that snow fence to the
35 northern boundary of Run 501, Teviot Survey District; thence generally south-easterly and south-westerly along the north-eastern and south-eastern boundaries of that run to a peg, bearing 316° 26' distant 179·4 links from Waikaia Bush Road, S.O. Plan 1165; thence generally southerly along the snow
40 fence shown on S.O. Plan 1165 through Run 501 aforesaid and Run 509, Teviot Survey District, to the northern boundary of Run 690, Teviot Survey District; thence generally easterly, southerly, westerly, and north-westerly along the northern, eastern, southern, and south-western boundaries of

that run, to the southern boundary of Run 509, Teviot Survey District; thence generally north-westerly along the south-western boundaries of that run and Runs 501 and 500 to the point of commencement.

Also, all that area in the Otago Land District, Tuapeka County, containing 1,150 acres, more or less, bounded by a line commencing at the south-western corner of Section 7, Block XIV, Bengier Survey District, and proceeding due east along the northern boundary of Section 6, Block XIV aforesaid, a distance of 52 chains approximately to a snow fence; thence south-easterly along that snow fence through Section 6 aforesaid and part Section 5, Block XIV aforesaid, to the north-western corner of Section 10, Block IV, Bengier Survey District; thence generally westerly and northerly along the southern and western boundaries of part Section 5, Block XIV, Bengier Survey District, to the southern boundary of Section 6, Block XIV aforesaid; thence generally northerly along the western boundary of that section to the point of commencement.

As the same are shown on the plan marked L. and S. 22/2882/44A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged blue.

New

13. Enabling certain land to be added to the Mount Bengier Rabbit District—Whereas section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 excluded the land described in subsection (2) of that section from the Mount Bengier Rabbit District as there were no rabbits on the said land: And whereas it has been found that rabbits do now exist on the said land and it is essential that they be exterminated: And whereas the Mount Bengier Rabbit Board wishes to request the Minister of Agriculture to recommend to the Governor-General under section 15 of the Rabbits Act 1955 that the boundaries of the Mount Bengier Rabbit District be altered to include the said land: Be it therefore enacted as follows:

Section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is hereby repealed.

14. Validating a supplementary agreement between the Corporations of the Counties of Waipa and Otorohanga, the City of Hamilton, and the Borough of Te Awamutu—Whereas section 10 of the Reserves and Other Lands Disposal Act 1942 validated a certain agreement (in this section

referred to as the said agreement) made between the Corporations of the Counties of Waipa, Otorohanga, and Raglan, the City of Hamilton, and the Borough of Te Awamutu: And whereas the Corporation of the County of Raglan desires to
5 be no longer bound by the said agreement: And whereas the remaining Corporations have agreed to that Corporation withdrawing from the said agreement: And whereas the said agreement provided for the appointment of a committee of management and the payment by the Corporations
10 of the costs and expenses of the committee: And whereas with the withdrawal of the Corporation of the County of Raglan a supplementary agreement (in this section referred to as the supplementary agreement) to be effective from and including the fifteenth day of July, nineteen hundred and
15 sixty, has been executed by the remaining Corporations to cover the future costs and expenses of the committee: And whereas a copy of the supplementary agreement is deposited in the Head Office of the Department of Lands and Survey, at Wellington, as Auckland Deed Number 5458: And whereas
20 it is expedient that the supplementary agreement be authorised and validated: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act or rule of law, the supplementary agreement is hereby declared to be and to have always been valid and binding
25 in all respects and of full force and effect according to its tenor, and the parties thereto shall be deemed to have had all powers and authorities necessary to enter into and execute the same and to have had and to possess full power to do all things requisite for the carrying out of the terms and
30 conditions thereof.

15. Vesting certain land in the Corporation of the City of Wanganui for recreation purposes—Whereas, pursuant to the provisions of section 53 of the Wanganui Harbour and River Conservators Board Act 1876, the land described in
35 subsection (2) of this section is vested in Her Majesty as a reserve for the use of the Maori inhabitants of the Town of Wanganui and the neighbourhood as a market-place and place for landing and embarking goods and persons and for such other purposes as the Governor-General may from time
40 to time determine: And whereas for many years the said land has not been used for such purposes but has, with certain adjoining land, been developed and maintained by the Wanganui City Council as an open space: And whereas,

to provide for the more effective future control and management of the said land, it is desirable that it be vested in the Mayor, Councillors, and Citizens of the City of Wanganui (in this section referred to as the Corporation) in trust as a recreation reserve subject to the Reserves and Domains Act 1953: Be it therefore enacted as follows: 5

(1) Notwithstanding anything to the contrary in the Wanganui Harbour and River Conservators Board Act 1876 or in any other Act or rule of law, the vesting in Her Majesty of the land described in subsection (2) of this section is hereby cancelled and the said land is hereby declared to be vested in the Corporation in trust as a recreation reserve under and subject to the Reserves and Domains Act 1953, freed and discharged from all other trusts, reservations, and restrictions heretofore affecting the same. 10 15

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

All that area in the Wellington Land District, being Section 304, Right Bank Wanganui River (City of Wanganui), containing one acre one rood thirty-three perches and four-tenths of a perch, more or less: as shown on the plan marked L. and S. 6/1/1115, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 24768). 20

16. Authorising the Governor-General to proclaim certain land in the Lake County to be Crown land—Whereas in the Town of Jamestown and in the Survey Districts of Martins Bay, Wilmot, and Hollyford in the Lake County, Otago Land District, certain land has been granted in fee simple, or reserved, or taken up under lease in perpetuity, or taken up under residence-site or business-site or special-site licences issued in terms of the Mining Act 1926: And whereas many of the owners and licensees are not known, and the land has been abandoned: And whereas it is in the public interest that the land should be resumed by Her Majesty, but subject to the right of the owners, lessees, and licensees thereof or their beneficiaries or successors in title to claim compensation as hereinafter provided: And whereas when the land was subdivided various strips of land were laid off as roads: And whereas most of them have never been used as roads and will not be required as roads in the future: And whereas it is desirable and expedient that special provision be made to enable the land, together with such roads as are not required, to be vested in Her Majesty as Crown land: Be it therefore enacted as follows: 25 30 35 40 45

(1) This section relates to all land in the Town of Jamestown and in the Survey Districts of Martins Bay, Wilmot, and Hollyford in respect of which residence-site or business-site or special-site licences under the Mining Act 1926, or
 5 Crown grants, or leases in perpetuity under the Land Act 1892 have heretofore been issued, and to all land laid off as roads, whether or not the same have been legalised, in the said Town of Jamestown and in the said Survey Districts, save and except the following:

- 10 (a) The main road from Long Reef in Martins Bay Survey District to the southern boundary of the Hollyford Survey District; and
 (b) Camp Street in the Town of Jamestown; and
 15 (c) The access road from Camp Street and its extension to the eastern boundary of Section 59, Block II, Martins Bay Survey District.

(2) The Governor-General may by Proclamation from time to time declare that any land (inclusive of roads, legal or otherwise), or any portion of the land to which this section
 20 relates shall, as from a date specified in that behalf in any such Proclamation, be deemed to be vested in Her Majesty as Crown land subject to the provisions of the Land Act 1948, and every such Proclamation shall have effect according to its tenor.

25 *New*
 Provided that no land shall be taken under this subsection so long as any person who is liable to pay rates on that land continues to pay those rates, except with the consent of that
 30 person, and no road or part of a road shall be taken if the effect of the taking would be to deprive any such land of legal access.

(3) Any roads or portions of roads (legal or otherwise), the subject of any Proclamation under subsection (2) of this section shall, on the issue of the Proclamation, be deemed to
 35 be closed, as from the date specified in the Proclamation.

(4) Before exercising any of the powers conferred on him by this section, the Governor-General shall cause not less than three months' notice of his intention so to do to be
 40 given in the *Gazette* and in such newspaper or newspapers as he thinks fit.

(5) The District Land Registrar for the Land Registration District of Otago and the appropriate Mining Registrar are hereby authorised and directed to make such entries in the
 45 register books and to do all such other things as may be necessary to give effect to the provisions of this section,

(6) If at any time within five years after the date specified in any Proclamation issued under this section the registered proprietor or licensee or any other person having any estate or interest in any land to which the Proclamation relates adduces satisfactory evidence of title to or interest in that land, he shall be entitled to claim compensation for his interest therein. The amount of compensation shall in every case be determined by the Land Settlement Board, and on any such determination, shall, without further appropriation than this section, be paid out of the Land Settlement Account established under the provisions of the Land Act 1948:

Provided that in no case shall the amount of compensation awarded under this section exceed the claimant's interest in the value of the land as determined by the said Board, as at the date specified in the Proclamation affecting the same, together with the value as at that date and as determined by the said Board of any improvements then existing on the land.

17. Declaring land subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948—Whereas the land described in subsection (2) of this section is set apart as permanent State forest land under the Forests Act 1949: And whereas it is desirable that it should be declared Crown land subject to the Land Act 1948: Be it therefore enacted as follows:

(1) The setting apart of the land described in subsection (2) of this section as permanent State forest land is hereby revoked and the said land is hereby declared to be Crown land subject to the Land Act 1948.

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

Firstly, all that area in the South Auckland Land District, being part of the land set apart as permanent State forest land by a Proclamation dated the first day of March, nineteen hundred and thirty-five, and published in the *Gazette* of the seventh day of March of that year at page 581, and being parts of Maraeroa Numbers A 3A and B 2 Blocks, situated in Blocks XIII and XIV, Ranginui Survey District, and Blocks I and II, Hurakia Survey District, containing two thousand two hundred and twenty-two acres two roods ten perches, more or less; and also parts of Maraeroa C Block, situated in Block II, Hurakia Survey District, containing six acres one rood three perches and eight-tenths of a perch, more or less, being all the land comprised and described in certificate

of title, Volume 1053, folio 290, Auckland Registry: as shown on the plan marked L. and S. 36/2460B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 40060).

- 5 Secondly, all that area in the South Auckland Land District being part of the land set apart as permanent State forest land by a Proclamation dated the twenty-seventh day of September, nineteen hundred and thirty-five, and published in the *Gazette* of the third day of October of that
10 year at page 2735, and being also parts Section 4, Block VII, Tairua Survey District, containing nine acres two roods eighteen perches and seven-tenths of a perch, more or less: as shown on the plan marked L. and S. 10/92/76, deposited in the Head Office, Department of Lands and Survey, at
15 Wellington, and thereon edged red (S.O. Plan 40074).

- Thirdly, all that area in the South Auckland Land District being part of the land set apart as permanent State forest land by a Proclamation dated the nineteenth day of January, nineteen hundred and twenty-five, and published in the
20 *Gazette* of the twenty-third day of that month at page 155, and being parts Whaiti Kuranui 5B Block, situated in Block IV, Tapapa East Survey District, containing thirty-nine acres and thirty-five perches, more or less: as shown on the plan marked L. and S. 22/748/29A, deposited in the Head
25 Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 40216).

- Fourthly, all that area in the Wellington Land District, being Section 6 (formerly part Waimarino Defence Training Ground), Block XIV, Tongariro Survey District, containing
30 one hundred and fifty acres, more or less: as shown on the plan marked L. and S. 9/3650, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 24200).

- Fifthly, all that area in the Westland Land District, being
35 Reserve 1975, situated in Block I, Poerua Survey District, containing twelve acres three roods four perches, more or less: as shown on the plan marked L. and S. 4/681B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 4696).

- 40 Sixthly, all that area in the Westland Land District, being part Reserve 1462, situated in Blocks V and IX, Kaniere Survey District, containing six hundred and eighty-four acres and five perches, more or less: as shown on the plan marked

L. and S. 36/2491B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 4845).

Seventhly, all that area in the Westland Land District, being parts Reserve 1957, situated in Block V, Mawheraiti Survey District, and Block VIII, Waiwhero Survey District, containing a total area of ninety-five acres one rood three perches, more or less: as shown on the plan marked L. and S. 10/98/80I, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 5021). 5 10

Eighthly, all that area in the Canterbury Land District, being part Reserve 4515, situated in Block II, Lyndon Survey District, containing sixty-six acres and three roods, more or less: as shown on the plan marked L. and S. 8/5/3A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 9633). 15

Ninthly, all that area in the South Auckland Land District, being part Section 6, Block VIII, Maramarua Survey District, containing thirty-three acres three roods nineteen perches, more or less: as shown on the plan marked L. and S. 10/92/34A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 40606). 20

Tenthly, all those areas in the South Auckland Land District, being part Paeroa 3A and 4A Blocks, situated in Blocks XV and XVI, Paeroa Survey District; Block XIII, Kaingaroa Survey District; Blocks III and IV, Takapau Survey District; and Block I, Wheao Survey District, containing twelve thousand acres, more or less, and being all the land comprised and described in certificate of title, Volume 460, folio 186, Auckland Registry: and also being part Lot 3, D.P. 20886, situated in Blocks I and V, Wheao Survey District, containing one hundred and eighty-five acres, more or less, being part of the land comprised and described in certificate of title, Volume 702, folio 18, Auckland Registry: and also Paeroa East 3c Block, situated in Blocks IV and VIII, Takapau Survey District, and Blocks I and V, Wheao Survey District, containing seven hundred and forty-three acres, more or less; and also part Run 59 situated in Blocks III and IV, Takapau Survey District, containing ninety-three acres two roods twenty-five perches, more or less; and also part Section 1, Block I, and Section I, Block V, Wheao Survey District, containing nine acres one rood fifteen 25 30 35 40

perches, more or less: as shown on the plan marked L. and S. 36/1386A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 40588).

5 **18. Vesting certain land in the University of Otago as an**
 addition to an endowment—Whereas, by the Otago Univer-
 sity Reserves Vesting Act 1893, an area of one hundred
 thousand acres of land known as the Benmore Runs was
10 as the University) as an endowment for the University: And
 whereas by a Proclamation taking effect on and after the
 twelfth day of August, nineteen hundred and fifty-seven, dated
 the first day of August, nineteen hundred and fifty-seven, and
 published in the *Gazette* of the eighth day of that month,
15 that portion of the endowment firstly described in subsection
 (3) of this section (in this section referred to as the said
 land) was taken for employees' houses and vested in the
 Benmore Rabbit Board: And whereas by the said Proclama-
 tion an easement vesting in the Board a right of way appur-
20 tenant to the said land was taken over that portion of the
 endowment secondly described in subsection (3) of this
 section: And whereas the Board no longer requires the said
 land and right of way, and by a Proclamation dated the
 seventh day of September, nineteen hundred and sixty, and
25 published in the *Gazette* of the fifteenth day of that month,
 both areas were declared to be Crown land subject to the
 Land Act 1948: And whereas for the better utilisation thereof
 it is desirable that both areas should be again included in
 the surrounding endowment: And whereas the Council of
30 the University has agreed to such inclusion: Be it therefore
 enacted as follows:

(1) The land described in subsection (3) of this section is
 hereby vested in the University as a reserve for an endowment
 for the University and is hereby declared to be subject to
35 the provisions of the Otago University Reserves Vesting Act
 1893 and the Otago University Reserves Act 1904.

(2) The District Land Registrar for the Otago Land
 Registration District shall deposit such plans, accept such
 documents for registration, and do all such other things as
40 may be necessary to give effect to the provisions of this section
 and shall, on the application of the University, issue a certifi-
 cate of title for the said land.

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

Firstly, all that area in the Otago Land District, being part Section 4, Block XVI, Benmore Survey District, containing one rood thirteen perches, more or less: as shown on the plan marked L. and S. 8/9/331A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (S.O. Plan 11949). 5

Secondly, all that area in the Otago Land District, being part Section 4, Block XVI, Benmore Survey District, containing seven acres and twenty-one perches and one-tenth of a perch, more or less: as shown on the plan marked L. and S. 8/9/331B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow and edged red (S.O. Plan 11949). 10 15