

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Tuesday, the 14th Day of October 1952

RESERVES AND OTHER LANDS DISPOSAL BILL

Amendments proposed by His Excellency the Administrator of the Government:—

Clause 33: To omit this clause and substitute the following clause:—

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.

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

(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 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 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 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 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 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 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 the said land presented to him for registration.

(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—

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.)

(7) Section seven of the Reserves and Other Lands Disposal Act 1943 is hereby repealed.

Repeal.
1943, No. 14

Clause 38: To insert, after subclause (2), the following new subclause:—

(2A) 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

To add the following new clauses:—

38A. 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 the Inangahua Gold and Coal Miners' Industrial Union of Workers and the Waiuta 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:—

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

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

(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.

38B. 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 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 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 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 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 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 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 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 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 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 is hereby repealed.

(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.

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. 1908 (Local), No. 40

1936, No. 49

1936 (Local), No. 2

1950, No. 34

Repeal.

(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.

EXPLANATORY NOTE

New Clause 33: An area of 2 acres of scenic reserve at Lake Okataina has been leased for almost twenty years under special authorities granted by various Reserves and Other Lands Disposal Acts. The rental has been paid to the Lake Okataina Scenic Board for use in managing and improving the reserves under the Board's control. When the original lease was granted it was thought that a short term tenancy was sufficient as it might be desirable to remove the buildings (authorized to be erected by the lease) from the reserve. As time passed the service provided by the lessee (the building is known as the Lake Okataina Fishing Lodge) has become very popular and the present building cannot meet the public demand. Investigation by the Licensing Control Commission has disclosed that a tourist house is warranted at Lake Okataina and the Commission has decided accordingly. The lessee is prepared to build a tourist hotel provided a more secure tenure can be obtained. It is considered desirable that a twenty-one year lease with right of renewal for one similar term be authorized with a further provision that if at the expiry of the renewal term the tourist house is still considered desirable, the Minister may purchase the improvements or, if he should not wish to do so, the lessee shall have a right of renewal for two further terms of twenty-one years. The Maori donors of the scenic reserve are in accord with this proposal and also agree to the issue of a tourist house licence. The Lake Okataina Scenic Board concurs. The clause therefore authorizes the Minister in Charge of Scenery Preservation to issue a lease in accordance with the arrangement. The area of the scenic reserve affected is about $3\frac{3}{4}$ acres and the issue of the lease will not involve the destruction of any bush of scenic value.

New Subclause (2A) inserted in Clause 38: This subclause authorizes the Auckland Metropolitan Drainage Board to erect dwellings on the land to which the clause relates and to lease the dwellings to employees of the Board or of contractors carrying out works for the Board.

New Clause 38A: The purpose of this clause is to vest the land described in the clause in the Reefton Working Men's Club and Mutual School of Arts, in accordance with the intentions of former members of the Inangahua Gold and Coal Miners' Industrial Union of Workers, No. 82. The registration of that union was voluntarily cancelled in 1942, but no steps were taken before the cancellation to dispose of the land, which formed part of the assets of the union, and as a result special provisions are required to vest the land in the body referred to.

New Clause 38B: This clause relates to certain matters in connection with the various reclamations being carried out for the purpose of the construction of Rongotai Aerodrome.

The portion of land being reclaimed in Evans Bay is now vested in the Wellington Harbour Board and it is proposed that this land shall be reclaimed by the Crown and in due course vested in the Crown.

The Harbour Board has authority to reclaim certain land at Point Howard and when the land is reclaimed it is to vest in the Board. The clause proposes to vest the land in the Board before reclamation.

The clause also authorizes the Crown to reclaim certain parts of Lyall Bay for the purpose of the construction of the aerodrome and cancels the rights of reclamation now vested in the Wellington City Council in respect of certain parts of that land.