

RESERVES AND OTHER LANDS DISPOSAL BILL, 1936.

EXPLANATORY NOTES.

Clause 2: Further provisions with respect to mining privileges for the supply of water to lands in the Downs Settlement and other lands in Otago Land District, 1932, No. 24 (file L. and S. 21/149/323).—In the purchase of the Downs Settlement in the Otago Land District as a group settlement under Part II of the Land Laws Amendment Act, 1928, the Crown acquired at the same time certain mining privileges in respect of water, and subsequently acquired further similar privileges, such privileges being necessary for the proper utilization of the land comprised in the Settlement and possibly for other lands in the said Land District. By section 15 of the Reserves and other Lands Disposal Act, 1932, provision was made to authorize the Crown to hold and administer the said privileges, not only for the benefit of the land comprised within the Downs Settlement, but also for the benefit of other lands not forming part of the said Settlement, and for that purpose certain powers were conferred upon the Minister of Lands. It is now found expedient to amend paragraph (d) of subsection (2) of the said section 15 to vest in the Minister and in the Commissioner of Crown Lands, Dunedin, in lieu of in the Minister of Public Works and the District Engineer respectively, the powers in regard to irrigation agreements and mining privileges set out in sections 278, 279, and 280 of the Public Works Act, 1928, and Part III of the Finance Act, 1933 (No. 2), in so far as lands affected by the said section 15 are concerned. It has also been found expedient to make further provision to ensure that any irrigation agreements made in respect of the said land shall run with the land. The clause also widens the authority of the Minister in terms of paragraph (e) of subsection (2) of the said section 15 in respect to his right to delegate to a committee of the persons entitled for the time being to a supply of water certain of his powers under the said section, and empowers the Minister to revoke any such delegation and to remove from office any member of any such committee.

Clause 3: Amending section 2 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912 (file L. and S. 1/14).—By section 2 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912, an area of 9·2 perches, being portion of the One Tree Hill Domain, was set apart as the burial-ground of the late Sir John Logan Campbell, and authority was therein granted for the erection on the land of a monument in memory of the deceased and as a memorial to the Native race. Plans for the memorial have been prepared and it is desired that the available area should be increased to 25·4 perches.

Clause 4: Authorizing the cancellation of the present title for Allotment 94A, Maungatapere Parish, and directing the issue of a new title therefor (file L. and S. 20/72).—Allotment 94A, Parish of Maungatapere, contained 129 acres, which in 1872 was granted by the Crown to the Superintendent of the Province of Auckland in trust for educational purposes. In the Crown grant which effected the conveyance, although the area was correctly stated, the diagram and description included only 67 acres 1 rood. Subsequently, portion of the allotment not included in the diagram and description was erroneously disposed of under license for occupation with right of purchase, and in terms of this license the freehold was later acquired. It is desirable that the original grant for educational purposes should be amended so that it shall include an area of 129 acres

as was originally intended. As, however, it is not considered equitable to disturb the freehold title to that portion of the original allotment acquired under a license for occupation with right of purchase, it is deemed expedient, in order to effect the required amendment, to cancel the original Crown grant and issue in lieu thereof a new certificate of title for an area of 129 acres, comprising the land originally intended to have been included in the said grant excepting the area freeholded as above mentioned, together with a sufficient area of adjoining Crown land to make up the original acreage.

Clause 5 : Authorizing the issue of a certificate of title to Charles Crisp, of Taupaki, for Lot 1, D.P. 8476, Auckland Land Registry (file L. and S. 6/3/73).—In 1915 Mr. Charles Crisp, of Taupaki, donated an area of 1 rood 3·5 perches to the Crown for the purpose of a post-office site on the condition that the land was to be handed back to him should the Post and Telegraph Department decide not to erect a post-office building thereon. The Postmaster-General has recently decided that the business transacted at Taupaki does not warrant the erection of a post-office there, and that his Department has no present or prospective use for the said land. Mr. Crisp has requested that the said land be therefore re-vested in him in accordance with the above-mentioned condition ; but in order to do so legislative authority is required, as there is no existing provision under which land vested in the Crown can be handed over to a private individual free of cost.

Clause 6 : Authorizing the closing of a road through Allotment 39, Mahurangi Parish, and vesting this closed road in the owner of the said allotment (file L and S. 16/2387).—On 10th July, 1856, Allotment 39, Mahurangi Parish, containing 1,647 acres, was alienated from the Crown by grant, but the right was reserved in favour of the Crown to lay off a road over the said land. In 1865 such a road was duly laid off, but no evidence thereof was ever registered against the title. The said allotment was brought under the provisions of the Land Transfer Act, 1885, in 1886, and subdivided in 1887. In conjunction with this subdivision new roads were laid off over the land, and as these new roads effect the same connection as the original road, it is considered desirable that as from 22nd November, 1887, the date of deposit in the Auckland Registry of the plan of subdivision of the above allotment showing the new roads, the original road should be deemed to be closed and to have been vested in the owner of the said allotment as from that date.

Clause 7 : Cancelling the reservation as permanent State forest over certain lands in the Auckland Land District and setting the same apart as scenic reserves (file L. and S. 300).—The lands dealt with in this clause comprise three areas of State forest in the Te Aroha District which it is desired should be brought under the Scenery Preservation Act. The area of 316 acres 2 roods 33 perches is situated near Wairakau about six miles from Te Aroha. It is steep and broken country, mostly in tawa bush, and there is a fine grove of kauri-trees. The other two areas are small State forest reserves lying within a block of over 4,000 acres of Crown land of rugged bush country which it is proposed to reserve under the Scenery Preservation Act. The Crown land will be set apart under the provisions of that Act, but special legislation is required to deal with the State forest areas. The State Forest Service approves of the proposal.

Clause 8 : Adding a municipal reserve to Waikaraka Cemetery and authorizing the Onehunga Borough Council to raise a loan of £15,000, &c. (file L. and S. 2/403).—The following areas in close proximity to one another are vested in the Onehunga Borough Council : 5 acres 22 perches for municipal purposes, 10 acres 2 roods 25·6 perches for cemetery purposes (Waikaraka Cemetery), and 32 acres 2 roods 36·4 perches for public recreation. The area of 5 acres 22 perches is actually portion of Manukau Harbour, and the Council, since the 1st November last, has been proceeding with the reclamation thereof. It is desired to add this area to the Waikaraka Cemetery. The Health Department commends this suggestion, but as the area is within the borough special legislation

is required. The Council also desires authority to raise a loan of £15,000 without submitting the matter to a poll of ratepayers. The loan-moneys are to be used for repaying to the Council all expenditure paid out of the District Fund Account since the 1st November last for the reclamation, development, and improvement of the said areas and for the future development thereof. The Council has also requested the further provision contained in the clause that an account, to be known as "The Waikaraka Cemetery and Recreation Ground Trust Account," be established into which shall be paid all revenue derived from the above-mentioned areas, such revenue to be held in trust solely for the purposes of the payment of the annual charges in respect of the above loan and for maintaining, managing, and improving the aforesaid lands.

Clause 9: Vesting in the Roman Catholic Bishop of the Diocese of Auckland Sections 94 and 49 of the Village of Taupiri, the former in trust for a burial-ground and the latter without words of limitation (file L. and S. 22/4109).—The original Section 49 of the Village of Taupiri, which comprised 2 roods 19 perches, was shown upon the survey map of the said village made in 1874 as a site for a Roman Catholic church, but no title for the said section was ever issued. From other evidence available, including the fact that a Roman Catholic church was actually erected upon the section, although destroyed by fire in 1898 or 1899, it is clear that the intention was that this section should be vested in the Church. This clause accordingly directs the issue of title to the land to the Roman Catholic Bishop of the Diocese of Auckland, but, as portion of the area has been used for the burial of the dead, this portion is to be vested in trust as a burial-ground, while the balance is to be vested without words of limitation.

Clause 10: Authorizing the issue of a certificate of title to the executor of the will of G. B. Oman for Lot 1, D.P. 2276, Gisborne Land Registry (file L. and S. 6/3/98).—In 1918 Mr. G. B. Oman, of Gisborne, who is now deceased, donated an area of 1 rood at Kaiteratahi to the Crown for the purpose of a post-office site on the condition that the land was to be handed back to him should the Post and Telegraph Department decide to erect a permanent post-office building elsewhere. The Department has established a post-office at Waipaoa, one mile and a half distant, and has decided that the section donated by the late Mr. Oman will not be used for the establishment of a post-office. It is therefore desired to revest the land in the executor of the estate of Mr. Oman in accordance with the condition imposed by him, but in order to do so legislative authority is required, as there is no existing provision under which land vested in the Crown can be handed over to a private individual free of cost.

Clause 11: Authorizing the Cook Hospital Board to sell certain land (file L. and S. 58628).—By an Order in Council made on the 17th October, 1933, an area of 2 acres, being Lots 1 and 2 of Section 210, Suburbs of Gisborne, was vested in the Cook Hospital Board in trust as a site for a maternity home. The buildings on this area proved to be unsatisfactory for the purposes of a maternity home, and the Board accordingly raised a loan of £5,500 and has erected a modern maternity home on land in close proximity to the Cook Hospital. It is therefore desired to empower the Board to sell the said land and apply the proceeds therefrom towards payment of the annual charges in respect of or in augmenting the sinking fund of the above loan.

Clause 12: Revoking the reservation for scenic purposes over Section 4s, Huatoki Settlement, cancelling the vesting of the control thereof in the Huatoki Scenic Board, and adding the said Section 4s and Section 9s, Huatoki Settlement, to the Huatoki Domain (files L. and S. 1/700 and 4/321).—Immediately outside the boundary of the Borough of New Plymouth is an area of 48 acres 2 roods 32 perches, the whole of which is generally known as the Huatoki Domain, which is used extensively for recreation purposes. One portion of this area, containing 12 acres 2 roods 20 perches, comprises

the actual Huatoki Domain, the control of which was vested in a local Board. Another portion of the area, comprising 9 acres 3 roods 15 perches, is a scenic reserve, controlled by a separate Board appointed pursuant to section 13 of the Scenery Preservation Act, 1908. This Board has control over a further portion of 8 acres 2 roods 11 perches which it is acquiring from the Crown for scenic purposes pursuant to the authority contained in section 26 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922. The balance of the area first above mentioned, of 17 acres 2 roods 26 perches, is freehold land purchased from the Crown by the New Plymouth Borough Council in order that the native bush thereon might be preserved. It is considered desirable that the whole area should be constituted a public domain and the control thereof vested in the New Plymouth Borough Council. The Council, the late Huatoki Domain Board, and the Huatoki Scenic Board are all agreeable to action in this direction being taken, and already the control of the actual domain area has been vested in the New Plymouth Borough Council and the Council has transferred to the Crown for recreation purposes the freehold area of 17 acres 2 roods 26 perches, and this area will now be added to the domain. To complete the whole matter, authority is required to revoke the reservation for scenic purposes over the area of 9 acres 3 roods 15 perches, and to determine the right of the Huatoki Scenic Board to acquire the area of 8 acres 2 roods 11 perches, and to add both these areas to the Huatoki Domain. This clause, besides providing the necessary authority, also repeals section 26 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922.

Clause 13: Authorizing the Taranaki Land Board to incorporate in a lease of education endowment land certain other land after the transfer thereof to His Majesty the King (file L. and S. 20/827).—Mrs. A. Rawlinson, who leases an area of 1 rood 26·4 perches of primary-education endowment in the Town of New Plymouth, is also the owner of an area of 9·22 perches of adjoining freehold land. The Taranaki Land Board has offered Mrs. Rawlinson a renewal of her lease for a term of twenty-one years at an annual rental of £7, but the lessee has made a counter offer that she transfer her freehold to the Crown and receive a lease of the whole at an annual rental of £5. The freehold land, which will be added to the endowment, will provide about 1½ chains additional frontage thereto, and there is no doubt that the acceptance of the counter offer will be of advantage to the Crown. There is, however, no statutory authority whereunder a transaction of this nature may be effected, and special legislation is therefore required.

Clause 14: Revesting portion of the National Art Gallery site in His Majesty the King, vesting an additional area in the Board of Trustees of the National Art Gallery, and revesting a site for educational purposes in His Majesty the King (file L. and S. 57607).—By section 10 of the National Art Gallery and Dominion Museum Act, 1930, an area of 9 acres 3 roods 21 perches was vested in the Board of Trustees for the National Art Gallery and Dominion Museum for the purposes set out in the said Act. It is desired to authorize the revesting in His Majesty the King of 1 acre 2 roods 14·9 perches at the south-eastern corner of the above area to provide adequate access to the Wellington Technical School. Further, in order to preserve the harmony of the Buckle Street frontage to the National Art Gallery and Dominion Museum, it is expedient to vest the site of the Mount Cook Police-station, comprising 1 rood 32·8 perches, in the said Board of Trustees for the purposes of the said Act, provided the Government retains its present rights thereover until the buildings thereon are actually vacated. It is intended eventually to remove this police-station to an area of 1 rood 14 perches further east, fronting Buckle Street, at present vested in the Wellington Education Board for educational purposes, but no longer required therefor. The clause accordingly cancels the Board's title thereto and revests the area in His Majesty the King as a reserve for public buildings of the General Government. The Board of Trustees of the National Art Gallery and Dominion Museum and the Wellington Education Board have agreed in so far as they are concerned in the above transactions.

Clause 15 : Revoking the reservation for recreation purposes over Section 47, Block XIII, Makuri Survey District, and declaring the same to be reserved for scenic purposes (file L. and S. 175).—Section 47, Block XIII, Makuri Survey District, area 204 acres, was reserved in 1891 for recreation purposes. It is considered that this section, which is all in native bush, could be better protected under the provisions of the Scenery Preservation Act, 1908, than if left under its present reservation. The area is situated in the Makuri Gorge, wherein the scenery is very fine, and should be preserved. The Scenery Preservation Board has recommended that this section, less a small area taken for road purposes in 1909, should be brought under the provisions of the above-mentioned Act.

Clause 16 : Vesting in Mary McKain the leasehold interest in Section 15, Horowhenua Village Homestead Settlement (file L. and S. 23524).—Section 15, Horowhenua Village Homestead Settlement, in the Wellington Land District, contains an area of 5 acres. It is held under a lease in perpetuity, and Mrs. McKain, of Levin, has resided on the section continuously for the last thirty-five years, has paid the rent under the lease, and has paid off a mortgage of £80 which the State Advances Superintendent held over the said section. It is therefore considered equitable that the leasehold interest in the section should be vested in Mrs. McKain.

Clause 17 : Authorizing the Picton Borough Council to sell certain land (file L. and S. 5329).—Section 469, Town of Picton, area 1 rood, is vested in the Corporation of the Borough of Picton in trust for the purposes of public utility for the Town of Picton and suburbs. The area is not required for the purpose for which it is reserved, and the Corporation desires authority to sell the area and apply the proceeds towards the reclamation of land comprised within the Waitohi Domain.

Clause 18 : Declaring 7,100 acres of the Buller Coal Field Reserve to be a scenic reserve (file L. and S. 4/333).—All revenue derived from the Buller Coal Field Reserve, comprising 114,000 acres of land situated on either side of the Buller River, in the Nelson Land District, is by virtue of the provisions of the Westport Harbour Board Act, 1920, paid into the Westport Harbour Account. An area of 7,100 acres of this reserve is, however, not held under any lease or license, and it is desired to declare it to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board.

Clause 19 : Validating a certain deed of lease between His Majesty the King and the Lyttelton and Heathcote Recreation Trust, validating certain payments by the Lyttelton and Heathcote Domain Board, and authorizing the making of similar payments in the future (file L. and S. 1/437).—Adjoining the Lyttelton and Heathcote Domain is an area of 2 acres 1 rood 13 perches of railway reserve which since the 1st August, 1912, has, without any statutory authority, been held for the purposes of a recreation reserve by the Lyttelton and Heathcote Recreation Trust on a year to year tenure granted under a deed made on 3rd December, 1912, between His Majesty the King and the Trust. The annual rental is now fixed at £1. The Trust was constituted by statute in 1877, and was thereby given control of an area of 14 acres 3 roods, which by legislation in 1901 was brought under the provisions of the Public Domains Act, 1881, and now comprises the Lyttelton and Heathcote Domain. The Trust continued to control the Domain until 1911, when a Domain Board was appointed under the provisions of the Public Reserves and Domains Act, 1908, but the Trust was not specifically abolished. The Trust entered into the agreement above mentioned, but the Domain Board out of its funds has paid the rental and expended moneys for the maintenance and improvement of this area of railway reserve. The area is used for recreation purposes in conjunction with the Domain, and it is desirable that the said deed and the past payments made by the Board in respect thereof should be validated, and, as the area is most useful for Domain purposes, but it is not deemed advisable actually to add it to the Domain, that the Board should be authorized to make similar payments so long as the area is used for recreation purposes.

Clause 20: Validating an agreement as to reclamation of portion of Wellington Harbour, and providing for the taking of land adjoining or near to the reclamation (file L. and S. 13/182/2).—By the Hutt River Improvement and Reclamation Act, 1922, the Hutt River Board was empowered to reclaim an area of approximately 265 acres situated at the mouth of the Hutt River. The Wellington Harbour Board also had certain rights under the said Act. The River Board has taken no steps to carry out the reclamation, and it has now been agreed between the Hutt River Board, the Wellington Harbour Board, and the Crown that the Crown shall reclaim an area of approximately 92 acres situated on the eastern bank of the river. The River Board agrees to relinquish its rights to this area in return for which the Crown will grant to the River Board an area of $15\frac{1}{2}$ acres of reclaimed land. The Harbour Board is also granted certain reclamation rights and the power to construct harbour-works in connection with the reclaimed land. The clause validates the agreement entered into between the above parties, and empowers the Minister of Public Works to carry out the reclamation as a public work under the provisions of the Public Works Act, 1928, and to take under that Act any land adjoining or near to the area to be reclaimed.

RESERVES AND OTHER LANDS DISPOSAL BILL, 1936.

EXPLANATORY NOTES. (SUPPLEMENTARY.)

Clause 31: Restricting the right to alienate lands acquired from the Waikato Land Settlement Society (file L. and S. 29/43/1).—The main object of the Waikato Land Settlement Society is to place upon the land unemployed or indigent persons. Considerable sums have been expended, and will be expended in the acquisition and development of land for the settlement thereon of various persons selected by the society. The society's object in providing a livelihood for these people, and its efforts and expenditure in the past, would possibly be nullified if speculation with the land concerned were permitted. It is the definite wish of the society and the Crown, which will be providing financial assistance to the society, that adequate provision should be made to guard against such speculation. An agreement for sale and purchase was tentatively drawn up embodying conditions to achieve that end, but it is considered—and in this opinion the Crown Law Office concurs—that such conditions could not be brought down on the freehold title. The most satisfactory method of restricting speculative dealing with the land concerned appears to be by legislation, and the clause has been drafted accordingly. The clause gives expression to the desire of the society, in which the Crown concurs, that no settlers placed upon the society's lands shall at any time have the right to deal with the property therein without the prior consent of the society and the approval of the Minister of Finance.

Clause 32: Authorizing the trustees of the New Zealand Sheepowners' Acknowledgment of Debt to British Seamen Fund to sell land to the Crown and authorizing the acquisition of the said land on behalf of His Majesty the King (file L. and S. 8/4/24).—The trustees of the above-mentioned fund own some 8,261 acres, known as Flock House Station, on which, from 1924, boys and girls the dependants of British seamen killed or incapacitated during the Great War have been trained in all branches of farm-work. From 1932 the trustees have undertaken similar training for the dependants of New Zealand soldiers killed or incapacitated during the said war. This extension of the benefits of training at Flock House to dependants of New Zealand soldiers was resultant upon the complete cessation of immigration in 1932. The trustees now consider that the original objects of the fund should be adhered to, and for this reason, and because the trustees have little available capital to continue to carry on Flock House Station, they desire to sell the station to the Government as a going concern. The sale will enable the trustees to convert their assets into liquid capital so that they may more satisfactorily pursue the objects of the trust. Authority is, however, required to enable the trustees to sell and to enable the Crown to acquire the station, and the clause gives the necessary powers in that respect.

Hon. Mr. Langstone.

RESERVES AND OTHER LANDS DISPOSAL.

ANALYSIS.

- | Title. | |
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| 1. Short Title. | |
| 2. Further provisions with respect to mining privileges for the supply of water to lands in the Downs Settlement and other lands in Otago Land District. | 9. Vesting in the Roman Catholic Bishop of the Diocese of Auckland Sections 94 and 49 of the Village of Taupiri, the former in trust for a burial-ground and the latter without words of limitation. |
| 3. Amending section 2 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912. | 10. Authorizing the issue of a certificate of title to the executor of the will of George Brown Oman for Lot 1, D.P. 2276, Gisborne Land Registry. |
| 4. Authorizing the cancellation of the present title for Allotment 94A, Maungatapere Parish and directing the issue of a new title therefor. | 11. Authorizing the Cook Hospital Board to sell certain land. |
| 5. Authorizing the issue of a certificate of title to Charles Crisp, of Taupaki, for Lot 1, D.P. 8476, Auckland Land Registry. | 12. Revoking the reservation for scenic purposes over Section 4s, Huatoki Settlement, cancelling the vesting of the control thereof in the Huatoki Scenic Board, and adding the said Section 4s and Section 9s, Huatoki Settlement, to the Huatoki Domain. Repeal. |
| 6. Authorizing the closing of a road through Allotment 39, Mahurangi Parish, and vesting this closed road in the owner of the said allotment. | 13. Authorizing the Taranaki Land Board to incorporate in a lease of education-endowment land certain other land after the transfer thereof to His Majesty the King. |
| 7. Cancelling the reservation as permanent State forest over certain lands in the Auckland Land District, and setting the same apart as scenic reserves. | 14. Revesting portion of the National Art Gallery site in His Majesty the King, vesting an additional area in the Board of Trustees of the National Art Gallery, and revesting a site for educational purposes in His Majesty the King. |
| 8. Adding a municipal reserve to Waikaraka Cemetery and authorizing the Onehunga Borough Council to raise a loan of £15,000, &c. | |

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| <p>15. Revoking the reservation for recreation purposes over Section 47, Block XIII, Makuri Survey District, and declaring the same to be reserved for scenic purposes.</p> <p>16. Vesting in Mary McKain the leasehold interest in Section 15, Horowhenua Village Home-
stead Settlement.</p> <p>17. Authorizing the Picton Borough Council to sell certain land.</p> <p>18. Declaring 7,100 acres of the Buller Coal Field Reserve to be a scenic reserve.</p> | <p>19. Validating a certain deed of lease between His Majesty the King and the Lyttelton and Heathcote Recreation Trust, and validating certain payments by the Lyttelton and Heathcote Domain Board and authorizing the making of similar payments in the future.</p> <p>20. Validating an agreement as to reclamation of lands at the mouth of the Hutt River, and providing for the taking of land adjoining or near to the reclamation.</p> |
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A BILL INTITULED

Title. AN ACT to provide for the Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, to validate certain Transactions, and to make Provision in respect of certain other Matters. 5

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

Short Title. 1. This Act may be cited as the Reserves and other Lands Disposal Act, 1936. 10

Further provisions with respect to mining privileges for the supply of water to lands in the Downs Settlement and other lands in Otago Land District. 1932, No. 24

2. Whereas by section fifteen of the Reserves and other Lands Disposal Act, 1932, special provision was made with respect to certain mining privileges acquired by His Majesty the King for the supply of water to the lands in the Downs Settlement, and to such other lands as may for the time being be included with the Downs Settlement in an area to be defined from time to time by the Minister of Lands (hereinafter referred to as the Minister) under paragraph (a) of subsection two of the said section: And whereas it is desirable to make further provision in relation thereto in manner hereinafter appearing: Be it therefore enacted as follows:— 15

(1) Notwithstanding anything to the contrary in the said section fifteen, not more than three heads of water out of the water authorized to be diverted under the license for a water-race Number 4892, referred to in subsection six of the said section, or under any renewal of that license, or under any new license substituted therefor, shall be held or applied for the purposes of 20 25 30

the lands within the area for the time being defined as aforesaid, and the remainder of the water comprised in the said license or in any renewal or new license as aforesaid shall be held and applied in such manner and for 5 such purposes as the Minister of Public Works from time to time determines.

(2) The provisions of sections two hundred and seventy-eight, two hundred and seventy-nine, and two hundred and eighty of the Public Works Act, 1928, and 10 of Part III of the Finance Act, 1933 (No. 2), shall, so far as they are applicable and with the necessary modifications, apply with respect to every agreement made (whether before or after the passing of this Act) under paragraph (d) of subsection two of the said 15 section fifteen, as if it were an irrigation agreement as defined in section thirty-four of the said Finance Act, 1933 (No. 2).

See Reprint
of Statutes,
Vol. VIII,
p. 755
1933, No. 41

(3) In the application of the said provisions as provided by the *last preceding* subsection—

20 (a) References to the Minister of Public Works shall be deemed to be references to the Minister of Lands:

(b) References to the District Engineer of the Public Works Department shall be deemed to be 25 references to the Commissioner of Crown Lands:

(c) The definition of the term "lease" in subsection three of the said section two hundred and seventy-eight shall be deemed to be extended 30 to include a license to occupy land pending the purchase thereof from His Majesty the King on a system of deferred payments, and any other license or lease issued by or on behalf of His Majesty.

35 (4) The said section fifteen is hereby consequentially amended by omitting from paragraph (d) of subsection two all words after the words "(if any)".

(5) In the *next two succeeding* subsections the term "lease" means a lease or license issued by or on behalf 40 of His Majesty the King, and includes a license to occupy land pending the purchase thereof from His Majesty on a system of deferred payments.

(6) Where the lessee for the time being under any lease (whether issued before or after the passing of this Act) of any land in respect of which an irrigation agreement under the said paragraph (*d*) of subsection two of the said section fifteen is for the time being registered surrenders his lease and obtains a new lease in exchange therefor, the irrigation agreement and the provisions applied by subsection *two* hereof shall continue to apply with respect to the new lease as if it were a renewal of the surrendered lease. Where any such lessee obtains a title in fee-simple to any land in respect of which an irrigation agreement is for the time being registered, the irrigation agreement and the provisions applied as aforesaid shall continue to apply with respect to that land as if the agreement had been made with the legal owner in fee-simple of the land.

(7) In every lease (whether issued before or after the passing of this Act) of any land in respect of which any such irrigation agreement is for the time being registered (whether registered before or after the execution of the lease) there shall be implied a covenant by the lessee with His Majesty the King to observe and perform the irrigation agreement and to pay all moneys from time to time payable thereunder in respect of the land comprised in the lease.

(8) The power of delegation conferred on the Minister by paragraph (*e*) of subsection two of the said section fifteen may be exercised from time to time. Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Minister in person.

(9) Any such delegation may be made to a committee comprising such of the persons for the time being entitled to a supply of water under the said section as may be specified in that behalf in the instrument of delegation. The Minister may from time to time appoint any person for the time being entitled to a supply of water as aforesaid to be a member of any such committee. Any member of any such committee may resign office by notice in writing to the Minister. Any member may be at any time removed from office by the Minister; and any member who ceases to be entitled to a supply of water as aforesaid shall be so removed from office. Every such appointment or removal shall be in writing

under the hand of the Minister. In the event of any change in the membership of the committee to which any such delegation has been made, the delegation shall continue to have effect as if made to the persons for the time being holding office as members of the committee. In addition to any other powers contained therein, any such delegation may include power to determine in the manner therein provided the amounts to be paid from time to time for the supply of water as aforesaid and power to demand, recover (by legal proceedings or otherwise), and receive such amounts and to enforce the provisions of any agreement for the supply of water and either in the name of the committee or otherwise as may be provided in the delegation.

15 **3.** Section two of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912, is hereby amended by repealing subsection four, and substituting the following subsection:—

Amending section 2 of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912, 1912, No. 46

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

“All that area in the North Auckland Land District, in the Borough of One Tree Hill, containing by admeasurement twenty-five perches and four-tenths of a perch, more or less, being Part Allotment 11, Section 12, Suburbs of Auckland, and being part of the public reserve constituted by the One Tree Hill Reserve Act, 1886: bounded towards the north by a line bearing 93° 11', distance 122.73 links; towards the east generally by lines bearing 183° 11', distance 48.48 links, and 199° 26', distance 113.69 links; towards the south by a line bearing 273° 11', distance 59.09 links; and towards the west generally by lines bearing 346° 56', distance 113.68 links, and 3° 11', distance 48.48 links: as the same is more particularly delineated on the plan marked L. and S. 1/14, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.”

4. Whereas a Crown grant dated the fourth day of July, eighteen hundred and seventy-two, and registered in Volume 5, folio 54, Auckland Registry, purported to grant one hundred and twenty-nine acres of land, described as being Allotment 94A of the Parish of Maungatapere, to the Superintendent of the Province of Auckland in trust for educational purposes: And

Authorizing the cancellation of the present title for Allotment 94A, Maungatapere Parish, and directing the issue of a new title therefor.

whereas the diagram and the description in the said grant included only sixty-seven acres one rood, being part only of the said Allotment 94A: And whereas portion of the said Allotment, omitted from the diagram and description in the said grant, was subsequently offered for selection and selected under an occupation with right of purchase license and the freehold thereof was acquired: And whereas it would be inequitable to disturb the said freehold title: And whereas it is desired to amend the diagram and description in the said grant in order that it shall include an area of one hundred and twenty-nine acres as was originally intended to be granted thereby: And whereas by the inclusion of an area of adjoining unoccupied Crown land the necessary area may be made up: Be it therefore enacted as follows:—

(1) The land granted by the aforesaid Crown grant shall be deemed to have always been the land hereinafter described.

(2) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to cancel the aforesaid Crown grant and to issue in substitution therefor a certificate of title in favour of His Majesty the King for the land hereinafter described as an endowment for the purposes of primary education, and to amend any plans or certificates of title in his office which will require to be amended to give effect to the provisions of this section.

(3) The land referred to in subsection *one* of this section is particularly described as follows:—

All that area in the North Auckland Land District, containing one hundred and twenty-nine acres, more or less, being Allotment 94A of the Parish of Maungatapere, and bounded as follows: towards the north-west by Allotments 102 and 101, Maungatapere Parish, 2480·1 and 740·6 links; towards the north-east by Allotment 100 of the aforesaid Parish, 2011·3 and 266·7 links, and by the crossing of a public road, 110·5 links; again towards the north-west by a public road 100 links wide, 554·6, 538·25, 355·1, 290·4, 166·7, and 761·6 links; and again towards the north-east by Allotment 93 and the western portion of Allotment 94 of the aforesaid Parish, 3758·5 links; towards the south-east and south-west generally by a public road 100 links wide, 77·5, 319·6,

402.0, 330.5, 1034.2, 1133.4, and 545.1 links, and by the crossing of a public road, 143.9 links; and again towards the south-east by a public road 100 links wide, 489.6 and 509.5 links; and thence again towards the south-west by Allotment 125, Maungakaramea Parish, 3221 links; excepting thereout an intersecting public road: as the same is more particularly delineated on North Auckland Plan 28085 blue, deposited in the office of the Chief Surveyor at Auckland.

10 **5.** Whereas the land hereinafter described was donated to the Crown by Charles Crisp, of Taupaki, Farmer, for the purpose of a post-office site on condition that should the Crown decide not to erect a post-office thereon the land should be revested in the said Charles
15 Crisp: And whereas the Crown has now decided not to erect a post-office thereon and it is desired to revest the land in the said Charles Crisp without payment, for which there is no legal authority: Be it therefore enacted as follows:—

Authorizing the issue of a certificate of title to Charles Crisp, of Taupaki, for Lot 1, D.P. 8476, Auckland Land Registry.

20 (1) The District Land Registrar for the Auckland Land Registration District is hereby empowered and directed to issue to the said Charles Crisp a certificate of title free of charge for the land hereinafter described.

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

All that area in the North Auckland Land District, containing one rood three and one-half perches, being Lot 1 on a plan deposited in the Land Registry Office at Auckland as number 8476, and being part of Allotment 70, Parish of Waipareira, and being all the land
30 comprised in certificate of title, Volume 233, folio 143, Auckland Registry.

6. Whereas by Crown Grant Number 68B, dated the tenth day of July, eighteen hundred and fifty-six, being a
35 grant of one thousand six hundred and forty-seven acres known as Allotment 39 of the Parish of Mahurangi, a right was reserved to the Crown to lay out roads over the said allotment: And whereas in the year eighteen hundred and sixty-five, in pursuance of the said right,
40 the Warkworth-Matakana Road was laid off through the said allotment as shown on a plan numbered 850E in the office of the Chief Surveyor at Auckland, but no evidence of the taking of land from the said allotment for a road was ever registered against the title thereto: And

Authorizing the closing of a road through Allotment 39, Mahurangi Parish, and vesting this closed road in the owner of the said allotment.

whereas the said allotment was brought under the provisions of the Land Transfer Act, 1885, on the twenty-ninth day of June, eighteen hundred and eighty-six, by a certificate of title registered in Volume 44, folio 168, Auckland Registry, and was subdivided as shown on a plan deposited in the Land Registry Office at Auckland as number 571 on the twenty-second day of November, eighteen hundred and eighty-seven: And whereas the roads shown on plan number 571, extending from the western boundary of the said allotment to Duck Creek near pegs numbered XLVIA and XXXIII A, were laid out to effect the same connection as the road laid out in the year eighteen hundred and sixty-five as hereinbefore recited, but do not coincide with and are not regarded by the Chief Surveyor at Auckland as a re-definition of the original road: And whereas it is desirable and expedient to substitute the roads through Allotment 39 shown on plan number 571 for the road shown on the said plan number 850E: Be it therefore enacted as follows:—

The roads shown on the said plan number 571 between the points hereinbefore mentioned are hereby declared to have been public roads as from the twenty-second day of November, eighteen hundred and eighty-seven, and the road shown on the said plan number 850E is hereby declared to have been closed and vested in the owner of the said Allotment 39 on that date, and the District Land Registrar at Auckland is hereby empowered and directed to make such entries in the Registers as may be necessary to give effect to the provisions of this section.

Cancelling the reservation as permanent State forest over certain lands in the Auckland Land District, and setting the same apart as scenic reserves.

7. Whereas the land firstly hereinafter described forms portion of an area set apart as a permanent State forest by Proclamations published in the *Gazette* of the fourteenth day of March, nineteen hundred and eighteen, and of the third day of October, nineteen hundred and thirty-five: And whereas the lands secondly hereinafter described were by Warrant published in the *Gazette* of the twenty-first day of July, eighteen hundred and ninety-two, permanently reserved for the growth and preservation of timber, and are now permanent State forests: And whereas all the said lands are now subject to the provisions of the Forests Act, 1921-22: And whereas it is desirable that the said lands should be set apart as scenic reserves subject to the provisions of the

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

Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board constituted under that Act: Be it therefore enacted as follows:—

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

5 (1) The reservation for permanent State forest purposes over the lands hereinafter described is hereby cancelled and the said lands are hereby set apart as scenic reserves, subject to the provisions of the Scenery Preservation Act, 1908.

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

Firstly, all that area in the Auckland Land District, situated in Block VII, Katikati Survey District, and Block X, Aongatete Survey District, and containing by admeasurement three hundred and sixteen acres two
15 roods and thirty-three perches, more or less, being parts of the State forests set apart by Proclamations in the *Gazette* of nineteen hundred and eighteen, page 802, and of nineteen hundred and thirty-five, page 2735: bounded towards the north and north-east by other part of the
20 State forest set apart by Proclamation in the *Gazette* of nineteen hundred and eighteen, page 802; towards the north-east and south by other part of the State forest set apart by Proclamation in the *Gazette* of nineteen
25 hundred and thirty-five, page 2735; towards the south-west by parts Sections 47 and 45, Block XII, Aroha Survey District, and Sections 14s, 15s, 16s, and 13s, Wairakau Settlement: as the same is more particularly delineated on the plan marked L. and S. 300A, deposited in the Head Office, Department of Lands and Survey, at
30 Wellington, and thereon bordered red:

Secondly, all that area in the Auckland Land District, containing by admeasurement fifty acres, more or less, being Section 28, Block VII, Wairere Survey District: as the same is more particularly delineated on the plan
35 marked L. and S. 300B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. Also all that area in the Auckland Land District, containing by admeasurement fifty acres, more or less, being Section 10, Block XI, Wairere Survey
40 District: as the same is more particularly delineated on the plan marked L. and S. 300c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Adding a municipal reserve to Waikaraka Cemetery and authorizing the Onehunga Borough Council to raise a loan of £15,000, &c. See Reprint of Statutes, Vol. VI, p. 1134; Vol. I, p. 731

8. Whereas the land described in subsection *four* hereof forms part of a reserve vested in the Corporation of the Borough of Onehunga in trust for municipal purposes, and is subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928: 5
 And whereas the said land adjoins a reserve vested in the said Corporation in trust for a cemetery, known as the Waikaraka Cemetery, firstly described in subsection *five* hereof, which is subject to the provisions of the Cemeteries Act, 1908, and it is desirable that the said 10
 land should be added to the said Waikaraka Cemetery: And whereas the said land is situated within the Manukau Harbour and will require to be reclaimed before it may be used for cemetery purposes, and the Onehunga Borough Council has commenced such re- 15
 clamation works and also the work of improving and developing the lands described in subsection *five* hereof out of moneys in its District Fund Account: And whereas the said Council desires to obtain authority to raise a loan of fifteen thousand pounds, without 20
 submitting the proposal to a poll of ratepayers, to reimburse the District Fund Account for all moneys expended therefrom upon the said reclamation since the first day of November, nineteen hundred and thirty-five, 25
 and to enable the work of reclamation and of improvement and development of the lands described in subsections *four* and *five* hereof to be further proceeded with: And whereas the said Council desires to establish a separate account into which shall be paid all moneys derived from the said land and from the said Waikaraka 30
 Cemetery and from the land secondly described in subsection *five* hereof, being a reserve vested in the said Corporation for the purpose of public recreation subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928, the funds in the separate 35
 account to be applied solely in or towards payment of the annual charges in respect of the above-mentioned loan and in or towards the costs of maintenance, management, and improvement of all the aforesaid lands, and for no other purpose: Be it therefore enacted as 40
 follows:—

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, and the Cemeteries Act, 1908, the reservation for municipal purposes over the land described in subsection 45

four hereof is hereby declared to be changed to a reservation for a cemetery, and the said land is hereby added to and declared to be part of the Waikaraka Cemetery.

- 5 (2) The Onehunga Borough Council may, by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, raise a special loan, not exceeding fifteen thousand pounds, for the purpose of repaying to the said
10 Council all costs, charges, and expenses paid and incurred by the said Council since the first day of November, nineteen hundred and thirty-five, out of its District Fund Account for the improvement and development of the lands described in subsections *four*
15 and *five* hereof and for the purpose of the future improvement and development of the said lands.

See Reprint
of Statutes,
Vol. V, p. 365

- (3) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the Cemeteries Act, 1908, or in any other Act, the
20 Onehunga Borough Council is hereby authorized to establish a separate account, to be known as "The Waikaraka Cemetery and Recreation-ground Trust-Account", at such bank as the said Council may from time to time appoint, into which shall be paid all moneys
25 whatsoever received by the said Council in respect of the lands described in subsections *four* and *five* hereof, and the funds in the said account shall be expended in or towards the payment of the annual charges on any loan raised under the authority of the *last preceding*
30 subsection and in or towards the maintenance, management, and improvement of the said lands and for no other purpose:

- Provided that, pending the expenditure of the funds of the said account in the manner aforesaid, the said
35 Council may invest such funds in such securities as shall from time to time be authorized by law for the investment of trust funds or may deposit such funds at interest with the said Council.

- (4) The area of municipal reserve to be added to
40 the Waikaraka Cemetery is particularly described as follows:—

- All that area in the North Auckland Land District in the Borough of Onehunga, containing by admeasurement five acres and twenty-two perches, more or less, being
45 Lot 6 on Plan Number 25356, deposited in the office of the

District Land Registrar at Auckland, and being portion of an area vested in the Corporation of the Borough of Onehunga in fee-simple for municipal purposes by the Onehunga Borough Vesting Act, 1911: as the same is more particularly delineated on the plan marked L. and S. 2/403A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. 5

(5) The Waikaraka Cemetery and the recreation reserve referred to in this section are particularly described as follows:— 10

Firstly, all that area in the North Auckland Land District, in the Borough of Onehunga, containing by admeasurement ten acres two roods twenty-five perches and six-tenths of a perch, more or less, being Sections M 61, S 44, S 45, S 46 and parts N 61, N 44, N 45, and N 46, near the Town of Onehunga, being the whole of the land comprised in certificate of title, Volume 24, folio 298, and part of the land comprised in certificate of title, Volume 24, folio 300, Auckland Registry: bounded towards the north by parts Sections N 61, N 44, N 45, and N 46, near the Town of Onehunga (Waikaraka Recreation Reserve); towards the south-east generally by the Manukau Harbour; towards the west and south-east generally by Lot 6 on Plan Number 25356, deposited in the office of the District Land Registrar at Auckland; and again towards the west generally by Lots 4 and 5 on Plan Number 25356 aforesaid, and Alfred Street: as the same is more particularly delineated on the plan marked L. and S. 2/403B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red; and 25 30

Secondly, all that area in the North Auckland Land District, in the Borough of Onehunga, containing by admeasurement thirty-two acres two roods thirty-six perches and four-tenths of a perch, more or less, being Sections 47 and 48 and parts of Sections N 61, N 44, N 45, and N 46, near the Town of Onehunga, and being portion of the land comprised in certificate of title, Volume 24, folio 300, Auckland Registry: bounded towards the north by Neilson Street; towards the east generally by a public road, and a Borough Reserve below high-water mark; towards the south-east generally by 35 40

the Manukau Harbour; towards the south generally by the other parts of Sections N 46, N 45, N 44, and N 61, near the Town of Onehunga (Waikaraka Cemetery Reserve); and towards the west generally by Alfred Street: as the same is more particularly delineated on the plan marked L. and S. 2/403c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

9. Whereas the whole of the lands hereinafter described is shown upon the survey plan of the Village of Taupiri made in the year eighteen hundred and seventy-four as a site for a Roman Catholic Church: And whereas a Roman Catholic Church was actually erected upon the said site, but was destroyed by fire in or about the year eighteen hundred and ninety-eight: And whereas the land described in subsection three hereof, being portion of the said site, has been used for the burial of the dead: And whereas no title to the said site has ever been issued and it is deemed equitable that the whole of the said land should be vested in the Roman Catholic Bishop of the Diocese of Auckland, as to the said portion above-mentioned used as a burial-ground, in trust for that purpose, and as to the balance of the said site, without any words of limitation: Be it therefore enacted as follows:—

Vesting in the Roman Catholic Bishop of the Diocese of Auckland Sections 94 and 49 of the Village of Taupiri, the former in trust for a burial-ground and the latter without words of limitation.

(1) Notwithstanding anything to the contrary in the Cemeteries Act, 1908, or in any other Act, the land described in subsection *three* hereof is hereby vested in the Roman Catholic Bishop of the Diocese of Auckland and his successors forever, in perpetual succession as a corporation sole, in trust as a site for the burial of the dead according to the rites of the Roman Catholic Church.

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

(2) The land described in subsection *four* hereof is hereby vested in the Roman Catholic Bishop of the Diocese of Auckland.

(3) The land to which subsection *one* hereof relates is particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement thirteen perches and three-tenths of a perch, more or less, being Section 94, Village of Taupiri, Block IV, Newcastle Survey District: as the same is more particularly delineated on a plan marked L. and S. 22/4109A, deposited in the Head Office,

Department of Lands and Survey, at Wellington, and thereon edged red.

(4) The land to which subsection *two* hereof relates is particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement two roods and one-tenth of a perch, more or less, being Section 49, Village of Taupiri, Block IV, Newcastle Survey District, and being subject to a pipe-line easement ten links wide: as the same is more particularly delineated on a plan marked L. and S. 22/4109B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

(5) The District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed to issue such certificates of title as are necessary to give effect to the provisions of this section.

10. Whereas the land hereinafter described was donated to the Crown by George Brown Oman, of Gisborne, Hotelkeeper, for the purpose of a post-office site, on condition that should the Crown decide not to erect a post-office on the said land the same should be revested in the said George Brown Oman: And whereas the Crown has now decided not to erect a post-office thereon: And whereas the said George Brown Oman is now deceased, and the executor of his will is the Public Trustee of the Dominion of New Zealand: And whereas it is desirable to vest the said land in the said executor: And whereas there is no legal authority to vest the said land without consideration and free of charge: Be it therefore enacted as follows:—

(1) The District Land Registrar for the Gisborne Land Registration District is hereby empowered and directed to issue to the said Public Trustee of the Dominion of New Zealand, as executor of the will of the said George Brown Oman, deceased, a certificate of title free of charge for the land hereinafter described.

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

All that area in the Gisborne Land District, containing one rood, more or less, being Lot 1 on a plan deposited in the Land Registry Office at Gisborne as Number 2276, and being part of Section 62, Ormond Rural Block, Block IX, Waimata Survey District, and being all the land in certificate of title, Volume 57, folio 266, Gisborne Registry.

Authorizing the issue of a certificate of title to the executor of the will of George Brown Oman for Lot 1, D.P. 2276, Gisborne Land Registry.

11. Whereas by an Order in Council issued pursuant to section nine of the Public Reserves, Domains, and National Parks Act, 1928, dated the seventeenth day of October, nineteen hundred and thirty-three, and published

5 in the *Gazette* of the nineteenth day of the same month, the land hereinafter described was vested in the Cook Hospital Board in trust as a site for a maternity home :

And whereas the buildings on the said land are unsatisfactory for the purposes of a public maternity home and in consequence the Cook Hospital Board has erected a modern maternity home close to the Cook Hospital and for the purpose of meeting the expense thereof has raised a loan of five thousand five hundred pounds : And whereas the said new maternity home is considered sufficient to meet the requirements of the Cook Hospital District and no good object can be served by retaining the said land as a site for a maternity home : And whereas it is desirable that the said land should be sold subject to the conditions hereinafter appearing : Be it therefore enacted as follows :—

(1) Notwithstanding anything to the contrary in any Act, the Cook Hospital Board is hereby authorized and empowered to sell the land hereinafter described by public auction, public tender, or private contract, and either

25 in one lot or in subdivisions thereof as the said Board may in its discretion decide, freed and discharged from the trusts, reservations, and restrictions affecting the same.

(2) Any sale of the said land or of any subdivision thereof may be for cash or on such terms as the Cook

30 Hospital Board may in its discretion decide.

(3) The net proceeds of the sale of the said land shall be applied by the Cook Hospital Board towards payment of the annual charges in respect of, or in augmenting the sinking fund of, the loan raised by the said Board

35 for the establishment of a new maternity home as aforesaid.

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

40 All that area in the Gisborne Land District, containing by admeasurement two acres, more or less, being Lots 1 and 2 of Section 210, Suburbs of Gisborne : as the same is more particularly delineated on a plan marked L. and S. 58628A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Authorizing
the Cook
Hospital
Board to sell
certain land.
See Reprint
of Statutes,
Vol. VI, p. 1139

Revoking the reservation for scenic purposes over Section 4s, Huatoki Settlement, cancelling the vesting of the control thereof in the Huatoki Scenic Board, and adding the said Section 4s and Section 9s, Huatoki Settlement, to the Huatoki Domain.

See Reprint of Statutes, Vol. VIII, p. 613
1922, No. 50
Ibid., Vol. VI, p. 1148

12. Whereas by Proclamation published in the *Gazette* of the first day of September, nineteen hundred and twenty-one, the land described in subsection *four* hereof was set apart as a scenic reserve, and the control thereof is now vested in the Huatoki Scenic Board pursuant to the provisions of the Scenery Preservation Act, 1908: And whereas by section twenty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, the said Board was authorized to acquire on deferred payments the land described in subsection *five* hereof, provided that upon payment of the purchase-money in full and of all interest the said land should be declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908, under the control of the said Board: And whereas it is desirable that the reservation for scenic purposes over the land described in subsection *four* hereof should be revoked and the vesting of the control thereof in the Huatoki Scenic Board cancelled, and that the right of the said Board to acquire the land described in subsection *five* hereof should be determined, and that the said lands should be brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928, and added to the Huatoki Domain: And whereas the Huatoki Scenic Board has agreed to such action being taken: Be it therefore enacted as follows:—

(1) The reservation for scenic purposes over the land described in subsection *four* hereof is hereby revoked and the vesting of the control thereof in the Huatoki Scenic Board is hereby cancelled, and the said land is hereby declared to be subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Huatoki Domain.

(2) The right granted to the Huatoki Scenic Board to acquire on deferred payments the land described in subsection *five* hereof pursuant to section twenty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, is hereby determined, as from the date of the passing of this Act, and the said land is hereby declared to be subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Huatoki Domain.

(3) Section twenty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, is hereby repealed.

Repeal.

(4) The land to which subsection *one* hereof relates is particularly described as follows:—

All that area in the Taranaki Land District, containing by admeasurement nine acres three roods and
5 fifteen perches, more or less, being Section 4s, Huatoki Settlement, Block V, Paritutu Survey District: as the same is more particularly delineated on plan marked L. and S. 1/700A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon
10 bordered red.

(5) The land to which subsection *two* hereof relates is particularly described as follows:—

All that area in the Taranaki Land District, containing by admeasurement eight acres two roods and
15 eleven perches, more or less, being Section 9s, Huatoki Settlement, Block V, Paritutu Survey District: as the same is more particularly delineated on plan marked L. and S. 1/700B deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon
20 bordered red.

13. Whereas the land hereinafter described is freehold land owned by Ada Rawlinson: And whereas the said land adjoins Crown land set apart as an endowment for primary education and held by the said Ada Rawlinson
25 for a leasehold estate under memorandum of lease Number 12503, Taranaki Land Registry: And whereas the said Ada Rawlinson has offered to transfer the land hereinafter described to His Majesty the King provided the said land is added to the said endowment for primary
30 education and incorporated in the said memorandum of lease: And whereas it is desirable to accept the said offer, but there is no statutory authority whereby effect may be given thereto: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any
35 Act, upon the transfer to His Majesty the King of the land hereinafter described the said land shall be deemed to be an endowment for the purpose of primary education, and thereafter the Land Board for the Land District of
40 Taranaki may incorporate the said land in memorandum of lease Number 12503, Taranaki Land Registry.

(2) A certificate under the hand of the Commissioner of Crown Lands for the Land District of Taranaki that

Authorizing the Taranaki Land Board to incorporate in a lease of education-endowment land certain other land after the transfer thereof to His Majesty the King.

the land hereinafter described is incorporated in memorandum of lease Number 12503 aforesaid shall be sufficient authority to the District Land Registrar of the Taranaki Land Registration District to make an appropriate entry in respect of such incorporation on the said lease retained in his office and on the outstanding copy thereof. 5

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

All that area, containing nine perches and twenty-two hundredths of a perch, being part Lot C on a plan deposited in Taranaki Land Registry as Number 1098, and being all the land comprised in certificate of title, Volume 134, folio 275, Taranaki Registry. 10

Revesting portion of the National Art Gallery site in His Majesty the King, vesting an additional area in the Board of Trustees of the National Art Gallery, and revesting a site for educational purposes in His Majesty the King.

See Reprint of Statutes, Vol. IV, p. 1121

14. Whereas by section ten of the National Art Gallery and Dominion Museum Act, 1930, an area of nine acres one rood and thirty perches, more or less (found on resurvey to contain nine acres three roods and twenty-one perches), as described in the First Schedule to the said Act, was vested in the Board of Trustees of the National Art Gallery and Dominion Museum for an estate in fee-simple in trust as a site for the National Art Gallery, the Dominion Museum, the War Memorial Carillon and Hall of Memories, and any other buildings and erections associated therewith, and generally for the purposes of the said institutions (hereinafter referred to as the site for the National Art Gallery): And whereas it is desirable that an area of one acre two roods fourteen perches and nine-tenths of a perch, more or less, being portion of the site for the National Art Gallery, more particularly described in subsection *five* hereof, should be revested in His Majesty the King in order to provide adequate access to the Wellington Technical School and generally to make provision for school amenities: And whereas it is desirable in order to preserve the harmony of the Buckle Street frontage of the site for the National Art Gallery to vest in the Board of Trustees of the National Art Gallery and Dominion Museum the area of one rood thirty-two perches and eight-tenths of a perch, more or less, being the present site of the Mount Cook Police-station, more particularly described in subsection *six* hereof: And whereas it is desirable in order to provide a new site for the said police-station to revest in His Majesty the King as a reserve for a site for public buildings of the General Government an area 15 20 25 30 35 40

situated in Buckle Street, containing one rood and fourteen perches, more or less, more particularly described in subsection *seven* hereof, at present vested in the Education Board of the District of Wellington for educational purposes but no longer required therefor: And whereas the Board of Trustees of the National Art Gallery and Dominion Museum and the Education Board of the District of Wellington have agreed to the vesting and re-vesting of the said areas in the manner aforesaid: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the reservation over the land described in subsection *five* hereof is hereby revoked and the vesting thereof in the Board of Trustees of the National Art Gallery and Dominion Museum is hereby cancelled, and the said land is hereby declared to be Crown land subject to the provisions of the Land Act, 1924.

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

(2) The land described in subsection *six* hereof is hereby declared to be freed and discharged from the trusts, reservations, and restrictions affecting the same, and is hereby vested in the Board of Trustees of the National Art Gallery and Dominion Museum for an estate in fee-simple in trust for the purposes set out in subsection one of section ten of the National Art Gallery and Dominion Museum Act, 1930:

Ibid., p. 1121

Provided that the Government, until such time as in its discretion it vacates the buildings and erections which are on the said land at the passing of this Act, shall have free right for its officers, servants, and agents, and all persons visiting or having business with them, of access to and occupation of such buildings and erections.

(3) All the right, title, and interest of the Education Board of the District of Wellington in the land described in subsection *seven* hereof is hereby cancelled, and the said land is hereby declared to be re-vested in His Majesty the King, and to be a reserve for a site for public buildings of the General Government, subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928.

Ibid., Vol. VI,
p. 1134

(4) Upon application being made to the District Land Registrar for the Land Registration District of Wellington, the said Registrar is hereby empowered and directed to cancel certificate of title, Volume 350, folio 176,

and to do all other things necessary to give effect to the provisions of this section.

(5) The land to which subsection *one* hereof relates is particularly described as follows:—

All that area in the City of Wellington, containing by admeasurement one acre two roods fourteen perches and nine-tenths of a perch, more or less, being part of Reserve 10, known as the Mount Cook Reserve, being portion of the said reserve which was vested in the Board of Trustees of the National Art Gallery and Dominion Museum, and being Subdivision 2 on plan numbered 53/67, deposited in the Wellington District Survey Office, Department of Lands and Survey, and thereon coloured blue. 5 10

(6) The land to which subsection *two* hereof relates is particularly described as follows:— 15

All that area in the City of Wellington, containing by admeasurement one rood thirty-two perches and eight-tenths of a perch, more or less, being part of Reserve 10, known as the Mount Cook Reserve, and being Subdivision 1 on plan numbered 53/67, deposited in the Wellington District Survey Office, Department of Lands and Survey, and thereon coloured yellow. 20

(7) The land to which subsection *three* hereof relates is particularly described as follows:— 25

All that area in the City of Wellington, containing by admeasurement one rood and fourteen perches, more or less, being part of Section 664, Town of Wellington, and being the whole of the land comprised in certificate of title, Volume 350, folio 176, Wellington Registry. 30

Revoking the reservation for recreation purposes over Section 47, Block XIII, Makuri Survey District, and declaring the same to be reserved for scenic purposes. See Reprint of Statutes, Vol. VI, p. 1134; Vol. VIII, p. 613

15. Whereas the land hereinafter described forms portion of an area reserved for recreation purposes by Warrant dated the twenty-fourth day of October, eighteen hundred and ninety-one, and published in the *Gazette* of the twenty-ninth day of that month, and is subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928: And whereas it is expedient that the said land should be reserved for scenic purposes and brought under the operation of the Scenery Preservation Act, 1908: Be it therefore enacted as follows:— 35 40

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the reservation for recreation purposes over the land hereinafter described is hereby revoked, and the said land

is hereby declared to be reserved for scenic purposes and to be subject to the provisions of the Scenery Preservation Act, 1908.

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

All that area in the Wellington Land District, containing by admeasurement two hundred and two acres one rood and thirty-five perches, more or less, being part of Section 47, Block XIII, Makuri Survey District : as the same is more particularly delineated on plan marked L. and S. 175A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

16. (1) Notwithstanding anything to the contrary in the Land Transfer Act, 1915, or in any other Act, it is hereby declared that Mary McKain, of Levin, Widow, is the owner of a leasehold estate or interest in an area in the Wellington Land District, containing five acres, more or less, being Section 15, Horowhenua Village Homestead Settlement, and being the whole of the land comprised and described in a certain lease in perpetuity numbered 319 under Part III of the Land Act, 1892, registered in Volume 6A, folio 220, Wellington Registry, and the said leasehold estate or interest shall be deemed to have been vested in the said Mary McKain as from the ninth day of November, nineteen hundred.

Vesting in Mary McKain the leasehold interest in Section 15, Horowhenua Village Homestead Settlement.

(2) The District Land Registrar for the Wellington Land Registration District is hereby authorized, empowered, and directed, upon receipt by him of an application in that behalf from the said Mary McKain, to make such entries on the said lease and on the outstanding copy thereof as may be necessary to give effect to the provisions of this section.

17. Whereas by Warrant dated the seventh day of December, eighteen hundred and eighty, a certificate of title to the land described in subsection *three* hereof, together with other land, was authorized to be issued to the Mayor, Councillors, and Burgesses of the Borough of Picton in trust for the purposes of public utility for the Town of Picton and suburbs : And whereas it is expedient that the Picton Borough Council should be empowered to sell the land described in subsection *three* hereof, and to apply the proceeds of such sale towards the reclamation of land comprised in the Waitohi Domain : Be it therefore enacted as follows :—

Authorizing the Picton Borough Council to sell certain land.

(1) Notwithstanding anything to the contrary in any Act, the Picton Borough Council may sell the land described in subsection *three* hereof freed and discharged from the trusts, reservations, and restrictions affecting the same.

5

(2) The net proceeds of such sale shall be applied towards the reclamation of land comprised in the Waitohi Domain.

(3) The land referred to in subsection *one* hereof is particularly described as follows :—

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All that area in the Marlborough Land District, containing by admeasurement one rood, more or less, being Section 469, Town of Picton, and being part of the land comprised in certificate of title, Volume 3, folio 64, Marlborough Registry.

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Declaring
7,100 acres of
the Buller
Coal Field
Reserve to be
a scenic
reserve.
1877, No. 73
(Local)
See Reprint
of Statutes,
Vol. III,
p. 675;
Vol. VIII,
p. 613

18. Whereas the land hereinafter described is portion of the Buller Coal Field Reserve which was set apart by the Westland and Nelson Coal Fields Administration Act, 1877, and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act, 1920 : And whereas it is desirable that the said land should be set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act, 1908, as recommended by the Scenery Preservation Board : Be it therefore enacted as follows :—

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(1) Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act, 1877, or in any other Act, the land hereinafter described is hereby declared to be freed and discharged from all trusts, reservations, and restrictions heretofore affecting it, and the said land is hereby set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act, 1908.

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

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All those areas in the Nelson Land District, being portions of the Buller Coal Field Reserve, and being Section 16, Blocks II and III, Ohika Survey District, containing by estimation three thousand acres, more or less, and Section 19, Blocks I, II, III, VI, and VII, Ohika Survey District, containing by estimation four thousand one hundred acres, more or less : as the same are more particularly delineated on a plan marked L. and S. 4/333, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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19. Whereas the land hereinafter described comprises
 portion of a railway reserve and adjoins the Lyttelton
 and Heathcote Domain: And whereas, by a deed of
 lease made on the third day of December, nineteen
 5 hundred and twelve, between His Majesty the King as
 lessor and the Lyttelton and Heathcote Recreation Trust
 as lessee, temporary rights were acquired over the said
 land for its use in conjunction with the said domain for
 recreation purposes: And whereas the said Trust had
 10 no authority to take such a lease and it is desired to
 validate its action in this respect: And whereas control
 of the said domain is not now vested in the said Trust
 but in a Board appointed pursuant to the Public Reserves,
 Domains, and National Parks Act, 1928: And whereas
 15 the said Board has from time to time expended portions
 of its funds in payment of rental and for the maintenance
 and improvement of the said land: And whereas the
 said Board had no authority for such expenditure:
 And whereas it is desired to validate this expenditure
 20 and to authorize the Board to continue to make similar
 payments so long as the said land is used for the purposes
 of public recreation in conjunction with the said Domain:
 Be it therefore enacted as follows:—

(1) The deed of lease over the land hereinafter
 25 described, made on the third day of December, nineteen
 hundred and twelve, between His Majesty the King as
 lessor and the Lyttelton and Heathcote Recreation Trust
 as lessee, is hereby declared to have been lawfully made.

(2) Notwithstanding anything to the contrary in
 30 the Public Reserves, Domains, and National Parks
 Act, 1928, or in any other Act, the payments made by
 the Lyttelton and Heathcote Domain Board as rental
 in respect of and for maintaining and improving the
 land hereinafter described are hereby validated and
 35 declared to have been lawfully made and the said Board
 is hereby authorized to continue to make similar payments
 so long as the said land is used for the purposes of
 public recreation in conjunction with the Lyttelton and
 Heathcote Domain.

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

All that area in the Canterbury Land District, con-
 taining by admeasurement two acres one rood and
 thirteen perches, more or less, and being part Lot 11

Validating a
 certain
 deed of lease
 between His
 Majesty the
 King and the
 Lyttelton and
 Heathcote
 Recreation
 Trust, and
 validating
 certain
 payments by
 the Lyttelton
 and Heathcote
 Domain
 Board, and
 authorizing
 the making
 of similar
 payments in
 the future.
 See Reprint
 of Statutes,
 Vol. VI,
 p. 1134

on plan deposited in the Canterbury Land Registry Office at Christchurch as Number 9873, situated in Block XVI of the Christchurch Survey District, and being part of the land comprised in certificate of title, Volume 420, folio 211, Canterbury Registry: bounded 5
towards the north by Rural Section 254, 526.5 links; towards the north-east by other part of Lot 11 on Plan Number 9873 aforesaid, 395.0 links; towards the south-east by Reserve 3839, 480.8 links; and again 10
towards the south-west by Port Hills Road, 550.0 links: as the same is more particularly delineated on the plan marked L. and S. 1/437, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Validating an agreement as to reclamation of lands at the mouth of the Hutt River, and providing for the taking of land adjoining or near to the reclamation 1922, No. 17 (Local)

20. Whereas by the Hutt River Improvement and Reclamation Act, 1922, the Hutt River Board was authorized and required to undertake the river works and reclamation described therein: And whereas by a deed of agreement (of which a copy is deposited in the head office of the Public Works Department at Wellington as Number A 313), dated the twenty-ninth day of September, nineteen hundred and thirty-six, and made between the Hutt River Board of the first part, the Wellington Harbour Board of the second part, and His Majesty the King acting by and through the Minister of Public Works of the third part, the provisions of the said Act were modified and varied and provision was made for the reclamation from the sea by the Minister and also by the Wellington Harbour Board of certain land described in the said agreement: And whereas it is desired to validate the said agreement: Be it therefore enacted as follows:—

(1) The said agreement is hereby declared to be valid and binding in all respects, and shall have full force and effect as if it were specifically enacted in terms thereof in this Act; and the parties thereto shall be deemed to have been duly empowered to enter into and execute the same, and further shall have full power to carry out the works of construction and reclamation and all works incidental thereto and to do all other things, including the making of further agreements, which may be deemed necessary to give full force and effect to the said agreement.

- (2) The work of reclamation which the Minister of Public Works is required to execute in terms of the said agreement shall be deemed to be a public work within the meaning of the Public Works Act, 1928, and the
- 5 Minister may from time to time take under the provisions of the said Act any land adjoining or near to any of the land authorized to be reclaimed by any of the parties to the said agreement which in his uncontrolled discretion he shall deem it desirable so to take, and every such
- 10 taking shall be conclusively deemed to be for the purpose of the public work hereinbefore referred to.

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