

RESERVES AND OTHER LANDS DISPOSAL BILL 1954

EXPLANATORY NOTE

Clause 2: Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title.—When, about the year 1890, certain land at Nae Nae was brought under the provisions of the Land Transfer Act, it was discovered on resurvey that the public road shown on the Crown grants issued in respect of this land was not the road actually in existence. A deviation of the Crown grant road had been made by the Provincial Government and is now the line of road formed and actually in use. The Crown grant road has never been used and was completely ignored after the present existing road was surveyed. Although the section boundaries of the adjoining land were amended to conform with the new road line, no steps were taken to close those portions of the Crown grant road included in some of the sections, nor were steps taken to make legal portions of the land used for road. Since the new road was formed several certificates of title have been issued and, to put these instruments in order, action is desirable to close the portions of legal road included in the sections and proclaim as road the land now used as such. This provision is to be retrospective to 1 October 1886, a date prior to any alienation of the land concerned. The clause accordingly closes the portions of road included in the sections, and legalizes those strips of land which have always been used as road, and validates the certificates of title already issued.

Clause 3: Closing certain portions of a public road and declaring certain lands to be public road in Block XII, Manganui Survey District, and validating the issue of certain leases, certificates of title, and Proclamations.—In constructing a length of road which is now part of the National Park—Wanganui State highway some 12 miles north-east of Raetihi a straight stretch was preferred to the original winding surveyed road. Although the section boundaries of adjoining land were amended to conform with the new road line, no steps were taken to close those portions of the original surveyed road included in some of the sections, nor were steps taken to make legal portions of the land used for road. Since the road was constructed several leases, certificates of title, and Proclamations affecting the lands concerned have been issued. To put in order these various instruments it is desirable to close the portions of legal road included in the sections, and legalize as road the land now used as such. This provision is to be retrospective to 31 December 1908, which was the date prior to any alienation of the lands concerned. The clause accordingly closes the portions of road included in the sections, and legalizes those strips of land which have always been used as road, and validates the leases, certificates of title, and Proclamations already issued.

Clause 4: Special provisions relating to certain reserves in the Borough of Port Chalmers.—By section 34 of the Local Legislation Act 1944 the sections of land dealt with in this clause were vested in the Port Chalmers Borough Council as public reserves for the purposes of a public library in the Borough of Port Chalmers. The land had previously been vested in the Port Chalmers Mechanics' Institute in trust for library purposes. The sections were vested in the Council subject to existing leases and tenancies, containing rights of renewal as though they were granted under the provisions of the Municipal Corporations Act 1933. The sections are public reserves and any lease granted over a public reserve shall not exceed thirty-three years and shall be on such terms and conditions and at such rent as the Minister of Lands approves. The library building was erected on part of one section but was recently demolished and a new library has been installed and is operating in the Council's Municipal Buildings. The leased sections have substantial dwellings erected on them, the lessees relying on the expressed terms of their leases, and it is desirable that these leases be validated in order to give the lessees security of tenure. Although the land is not now required for its original purpose it is the Council's intention to apply all revenue derived from these sections strictly for library purposes. It is also desirable to provide for this and to grant the Council additional leasing powers in respect of the sections to enable it to grant further leases with perpetual rights of renewal. The clause makes provision accordingly.

Clause 5: Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title.—The Crown grant issued to certain Maoris in 1853 for Section 36, Hutt District, excluded a road passing through the land and as shown on the original survey plan. A later survey plan showed this road in what is now its present formed position and ignored the original Crown grant road completely. The original road shown in the Crown grant had never been used, and in 1884 it was proposed to exchange this unused road for the present formed road, which was Maori land at that time. A survey of these two roads was subsequently made and the survey plan was approved on 6 May 1884. Approval was also given to the issue of titles for portions of the unused road upon receipt of title to the Crown for the formed road given in exchange. Although a grant was prepared for the unused road it was never signed and there was no transfer to the Crown of the formed road. In 1888 a Maori partition order subdivided this land and the subdivisional plan drawn up included the old Crown grant road in the sections of the subdivision and showed as public road that which is used at the present time, that is, as though the exchange had been completed. No evidence can be found as to why this exchange was not completed. All certificates of title subsequently issued were in accordance with this subdivisional plan, which meant that the titles include portions of the old Crown grant road and that the portions of land always used for road were not legal. To put these instruments in order it is desirable to close the portions of legal road included in the sections and legalize as road the land now used as such. This provision is to be retrospective to 6 May 1884, which was the date prior to any alienation of the land concerned. The clause accordingly closes the portions of road included in the sections and legalizes those strips of land which have always been used as road and validates the certificates of title already issued.

Clause 6: Amending section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920.—Section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 provided that the Hawera Borough Council could grant to the South Taranaki (Hawera) Branch of the New Zealand Returned Soldiers' Association, now the South Taranaki Returned Services' Association (Incorporated), a licence to occupy in perpetuity part of its municipal endowment Lots 2 and 12 of Section 19, Town of Hawera, as a site for a soldiers' club and peace memorial for use by members of the New Zealand Returned Soldiers' Association (Incorporated), now the New Zealand Returned Services' Association (Incorporated). The section also provided that the affairs of the club be controlled by a committee not exceeding eight members, comprised of an equal number of members from the Council and the South Taranaki Branch of the Association. The South Taranaki Returned Services' Association has asked for the affairs of the club to be controlled solely by the Association and the Council has approved. The proposed change of control has been advertised in Hawera and no objections have been received. The clause makes provision accordingly.

Clause 7: Vesting State forest land in the Corporation of the City of Wellington for water supply and other purposes.—The boundaries of the Wellington City and suburban water supply areas in the Wainui-o-mata locality surround an area of 376 acres 11 perches of State forest land, and this land forms an integral part of the water supply reserve and should have been included in it. The Wellington City Council has now asked that the 376 acres 11 perches be vested in it for the purposes of section 4 of the Wellington City and Suburban Water Supply Act 1927, as amended by section 4 of the Wellington City and Suburban Water Supply Amendment Act 1947, and, as there is no statutory authority to vest State forest land in a local authority, special legislative authority is necessary. The Forest Service has agreed to the proposal. The clause accordingly makes provision to vest the land in the Corporation of the City of Wellington for the purpose desired.

Clause 8: Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948.—The lands dealt with in the clause comprise seven parcels of permanent State forest land in the North Auckland and Southland Land Districts. None of the areas concerned is required for forestry purposes. The land firstly described is situated on the Mangonui-Kaeo Road about four miles from Mangonui. The area is open land and is a fire menace. It becomes overgrown with fern and gorse, and each year is illegally burnt off. It is desirable that it be included in the adjoining farm land. The land secondly described is situated about thirteen miles from Okaihau Township, Northland. It is covered in tea-tree and is only suitable for amalgamation with the adjoining holding. It is desirable that it be declared Crown land and disposed of to the adjoining owner. The land thirdly described is situated about seven miles north from Whangarei. It is suitable for farming and is to be included in adjoining farm land in exchange for a Crown leasehold area more suitable for forestry purposes. The land fourthly described is located about four miles from Okaihau. The dwelling on the land is no longer required by the Forest Service and dwelling and land are to be taken over by the Education Department. The lands fifthly and sixthly described are situated about nine miles north-west of Otautau, Southland, and are more suitable for farming than forestry purposes, and will be disposed of under the Land Act 1948. The land seventhly described is situated on Scotts Gap—Feldwick Road, also nine miles north-west of Otautau. It is more suitable for farming than forestry purposes and will be disposed of under the Land Act 1948.

Clause 9: Cancelling the vesting as an endowment over certain lands and revesting those lands in the Corporation of the Borough of Cromwell in trust for municipal and recreation purposes and as a site for a bridge.—In 1872, 1874, and 1875 certain lands in the Town of Cromwell were granted to the Superintendent of the Province of Otago in trust as a site for a bridge, public recreation purposes, and municipal purposes. In 1881 these lands were transferred from Her Majesty the Queen to the Mayor, Councillors, and Burgesses of the Borough of Cromwell as a reserve for endowment purposes pursuant to section 352 of the Municipal Corporations Act 1876. This authority provided that any land transferred should be for the purpose for which that land was originally held at the date of the passing of the Act, that is, as a site for a bridge, public recreation, and municipal purposes. Some of these lands have since been disposed of by the Cromwell Borough Council under the authority of special legislation and, in addition, pursuant to authority vested in the Council, others have been disposed of by way of direct sale. Two applications were recently received for portions of one of the original recreation reserve areas and on investigation it was discovered that the lands still vested in the Council by the aforesaid transfer were held for endowment purposes. These lands have always been regarded as having been reserved for their original purpose and no evidence can be found as to why the purpose was changed in the transfer. It is desired, therefore, to put the titles in order and the Cromwell Borough Council is in agreement. The clause accordingly cancels the vesting for endowment purposes and revests the lands in the Corporation of the Borough of Cromwell for the purposes for which they were originally reserved.

Clause 10: Special provisions relating to Queen Elizabeth Park.—The Crown has for many years been farming an area of some 2,785 acres situated between Paekakariki and Raumati on the eastern and western sides of the Wellington-Foxton Main Highway and known as Whareroa Block. The block was acquired by the Crown for better utilization, the ultimate intention being to use the area for general recreation purposes. Farming was undertaken by the Crown pending commencement of development of the area for recreational purposes. A special Committee, representative of governmental and local body interests, was appointed to decide on the future utilization of the area and to plan the development of the portion deemed suitable for recreation purposes and, following consideration of the Committee's report, it was decided that the area west of the Main Trunk Railway was to be constituted a public domain with the object of its being progressively developed for recreational, cultural, and aesthetic purposes, but the Crown should have the right to farm the area not under development for recreation purposes. The domain has been constituted with an area of 1,563 acres and the Royal assent to it being called Queen Elizabeth Park has been given. The Wellington City Council has negotiated for development of about 230 acres of the area for recreation amenities for the city, and the Council has likewise agreed to contribute to the development of the balance of the domain lands. Other local bodies have shown interest in the proposal and are likely to bear part of the cost of recreational development. It is desirable, therefore, to make provision for the appointment of a special Domain Board representative of the various parties interested in the domain to control it and also to authorize the lease to the Wellington City Council. The clause therefore empowers the Minister to appoint a special Domain Board, sets out the membership of that Board, and authorizes the lease of the 230-acre area to the Corporation of the City of Wellington.

Clause 11: Conferring special leasing powers on the Canterbury Education Board.—The land dealt with in this clause is 114 acres at Waimairi Beach near Christchurch which was recently purchased by the Canterbury Education Board from the Selwyn Plantation Board. For over twenty years prior to purchase the land had been leased to the Education Board, which had planted part of it in trees as an experimental area and had granted a licence to occupy to the Waimairi Beach Golf Club, which has established a golf course there. The golf club has gone to considerable expense in the development of the course and has asked for security of tenure. The club's course does not interfere with the experimental plantations growing on the land and there is no objection to the granting of a lease to the club for a comparatively long term. The Education Board has no power to grant a lease, and the clause therefore authorizes the Board to lease the land to the club for such term and on such conditions as the Minister of Education approves.

Clause 12: Vesting certain land in the Chairman, Councillors, and inhabitants of the County of Ashburton for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953.—The land dealt with in this clause is situated in the Rakaia Township. It was originally set apart for Provincial Government purposes and in *New Zealand Gazette* dated 3 August 1882 the reservation over the land was changed from Provincial Government purposes to plantation purposes. The change of purpose was to enable the South Rakaia Road Board to plant the area in trees. This land, together with certain other reserve lands at Rakaia, had been occupied by the South Rakaia Road Board since about 1875, but the lands had never been vested in the Board. Following a petition from the inhabitants of the South Rakaia road district to be placed in legal possession of these lands, legislation was passed which granted the lands to them in fee simple in trust for certain purposes without power of sale or lease. The land dealt with in this clause was granted for plantation purposes. At present there is a scouts' hall on this land, a fire brigade station is being erected, and there is a possibility of swimming baths being constructed. The trust on which the land is held is very restrictive and the present purpose is quite unsuitable. It is desirable that the land be reserved for the purpose of county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953. The Ashburton County Council, successor to the South Rakaia Road Board, in which the land will be vested, has agreed to the proposal, and the clause makes provision accordingly.

Clause 13: Conferring special leasing powers on the Whangarei High School Board.—The land dealt with in this clause is part of a block of 42 acres purchased by the Whangarei High School Board in 1922. The purchase was financed partly by Government grant and partly from funds from the Board's endowments. This area for about twenty-six years has been used by the Whangarei Rugby Union and has been developed by it into a football ground from what was originally wet and badly drained land. The present arrangement is that the Rugby Union occupies the land and provides for the use of the area by the Whangarei High School pupils during the week free of charge and the high school also has the use of the ground on certain other days. This land is not required for school buildings. It is admirably situated for a football ground and, to give security to the Rugby Union for the large amount of money it must expend on the land from time to time, it is desirable that it should have a satisfactory lease. The clause therefore empowers the High School Board to enter into a lease with the Rugby Union on such terms and conditions as the Minister of Education approves, the lease to preserve the use of the playing fields and adjoining areas on the leased land to the Board and to the high school staff and pupils in accordance with specific covenants to be set out in the lease.

Clause 14: Conferring certain powers on the trustees of the late James Gammack.—Under the will of the late James Gammack the trustees are empowered to contribute £200 per annum towards scholarships in connection with the North Canterbury Education Board and to pay the balance of the estate income to the Canterbury College Governors for the purpose of the public library, Christchurch. The estate, which was valued at between £30,000 and £40,000 in 1896, consists mainly of farm lands. The trustees have no power of sale. In 1951 special legislation was enacted whereby the trustees were given power to sell certain building sites in the township of Springston to meet the demand for residential sites in that locality. A further subdivision of five sections has been made and the trustees have requested power of sale to enable them to sell these sections. It is desirable for the better development of Springston that suitable building sites be made available on freehold tenure, and the clause accordingly gives the trustees authority to sell. The area in respect of which powers of sale are conferred on the trustees in this clause is 1 acre 1 rood 20·3 perches. The total area in the estate is over 1,400 acres.

Clause 15: Effecting an exchange between Her Majesty and the Corporation of the City of Wanganui in respect of certain land in Wanganui County.—In 1886 some 2,000 acres situated approximately twenty miles north-east from Wanganui were vested in the Corporation of the Borough of Wanganui, now the City of Wanganui, in trust as an endowment in aid of borough funds. This area of land has been held under registered lease and successive renewals thereof since 1908, and recently the present registered lessees approached the New Zealand Forest Service with a proposal that 92 acres of their leased land be exchanged for an area of adjacent provisional State forest land comprising 127 acres. The 92 acre area, which is entirely in heavy virgin forest, is much steeper and rougher than the 127 acre area and is more valuable to the Taukoro catchment than the 127 acres. This 127 acres could be developed as productive farm land without jeopardizing the soil stability to any harmful degree. The Wanganui City Council and the Forest Service agree to the proposal. For the purposes of the exchange, the lands concerned are deemed to be of equal value. The clause accordingly gives effect to the exchange of the 92 acres endowment land for the 127 acres provisional State forest.

Clause 16: Declaring certain endowment lands vested in the University of Otago to be Crown land subject to the Land Act 1948, making provision for the payment of certain moneys to the University and Dunedin Athenaeum, and validating certain payments made to the Athenaeum.—The lands dealt with in this clause comprise some 11,000 acres of high pastoral country situated at Hindon, Otago, and are vested in the Otago University as endowments for the Otago Museum and the Dunedin Athenaeum and Mechanics' Institute. For many years the endowments of the Otago University have been administered by the Crown under the Land Act, the net rents being disbursed half-yearly. The lands endowing the Otago Museum and the Athenaeum are two pastoral runs held under pastoral lease. Under the Otago Museum Act 1877 provision was made for the revenue derived from these lands to be paid to the Otago University for museum purposes until that revenue amounted to or exceeded £700 per annum, when 10 per cent of the revenue was to be paid to the Athenaeum. The terms of both pastoral leases were extended under the Reserves and Other Lands Disposal Acts of 1941, 1943, and 1947 for a period of nine years, and during this period certain payments were made to the Athenaeum on the basis of the then existing rental. The extending legislation provided that the annual rental assessed on renewal would operate from the date of normal expiry of the leases. The Land Act 1948

provides for a new policy of administration of pastoral country. Rental for pastoral run country is now based on reasonable carrying capacity as determined by the Land Settlement Board in place of the previous system by valuation and in some instances by auction. On renewal of the two leases the rental was reduced from £878 to £655 per annum. This means that the Athenaeum over the nine years ended 28 February 1953 has actually been overpaid a sum of £770 8s. which should be refunded to the University for museum purposes. If the refund was enforced, it would be a matter of serious embarrassment to the Athenaeum. Another result of this extension is that, consequential on the rental credits accumulated by the lessees from the fixing of a reduced rent on renewal, the University and Athenaeum will receive no revenue from these endowments for a period of over three years, from the date of renewal, 1 March 1953. Because the change of policy, which is in the best interests of pastoral country, has had the effect of reducing income from the endowments, it is felt equitable that the Crown should endeavour to restore the Museum and the Athenaeum to their former position in so far as the revenue from those lands is concerned. The matter has been discussed with the Otago University Council, the Athenaeum, and Treasury and, as a result, agreement was reached to resume the lands concerned as Crown lands, to purchase the interests of the Otago University and the Athenaeum in the lands, and to validate the overpayments made to the Athenaeum. The clause makes provision for this and for the continuation of the endowment revenue from the date of renewal, 1 March 1953, to the date of settlement with the University and the Athenaeum.

Hon. Mr Corbett

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

- | Title. | |
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| 1. Short Title. | |
| 2. Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title. | 9. Cancelling the vesting as an endowment over certain lands and re-vesting those lands in the Corporation of the Borough of Cromwell in trust for municipal and recreation purposes and as a site for a bridge. |
| 3. Closing certain portions of a public road and declaring certain lands to be public road in Block XII, Manganui Survey District, and validating the issue of certain leases, certificates of title, and Proclamations. | 10. Special provisions relating to Queen Elizabeth Park. |
| 4. Special provisions relating to certain reserves in the Borough of Port Chalmers. | 11. Conferring special leasing powers on the Canterbury Education Board. |
| 5. Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title. | 12. Vesting certain land in the Chairman, Councillors and inhabitants of the County of Ashburton for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953. |
| 6. Amending Section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920. | 13. Conferring special leasing powers on the Whangarei High School Board. |
| 7. Vesting State forest land in the Corporation of the City of Wellington for water supply and other purposes. | 14. Conferring certain powers on the trustees of the late James Gammack. |
| 8. Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948. | 15. Effecting an exchange between Her Majesty and the Corporation of the City of Wanganui in respect of certain land in Wanganui County. |
| | 16. Declaring certain endowment lands vested in the University of Otago to be Crown land subject to the Land Act 1948, making provision for the payment of certain moneys to the University and Dunedin Athenaeum, and validating certain payments made to the Athenaeum. |

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 1954. 10

Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title. See Reprint of Statutes, Vol. VII, p. 669

2. Whereas the area coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 22538 is a road within the meaning of section one hundred and ten of the Public Works Act 1928: And whereas portions of the aforesaid area of road were included in certain certificates of title issued for parts of Section 39, Hutt District, situated in Block IX, Belmont Survey District, without first having been closed: And whereas the areas coloured blue, sepia, and orange on the aforesaid plan Number 22538 have been used as a public road without legal authority: And whereas, to put in order the certificates of title which have been issued affecting the lands concerned, it is expedient that the said area of road coloured green on the said plan should be closed as from the first day of October, eighteen hundred and eighty-six, and the said areas coloured blue, sepia, and orange on the said plan should be proclaimed road as from the same date: Be it therefore enacted as follows: 15 20 25 30

(1) The road coloured green on the said plan Number 22538 is hereby declared to be and to have been closed and to have formed part of Section 39, Hutt District, situated in Block IX, Belmont Survey District, as from the first day of October, eighteen hundred and eighty-six. 35

(2) The areas coloured blue, sepia, and orange on the said plan Number 22538 are hereby declared to have been proclaimed road as from the first day of October, eighteen hundred and eighty-six. 40

(3) Certificates of title, Volume 57, folio 112, Volume 348, folio 38, Volume 391, folio 72, Volume 507, folio 225, and Volume 517, folio 290, Wellington Registry, are hereby validated and declared to be and to always have been of full force and effect as from the date they were issued.

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

3. Whereas the areas coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 22910 are roads within the meaning of section one hundred and ten of the Public Works Act 1928: And whereas the aforesaid areas of road were included in Sections 6, 8, 11, 12, 13, 15, 16, and 17, Block XII, Manganui Survey District, without first having been closed: And whereas the areas coloured red on the aforesaid plan Number 22910 have been used as a public road without legal authority: And whereas, to put in order instruments which have been issued affecting the lands concerned, it is expedient that the said areas of road coloured green should be closed as from the thirty-first day of December, nineteen hundred and eight, and that the said areas coloured red should be proclaimed road as from that date: And whereas certain Proclamations numbered 621 and 3165 have been issued declaring parts of the aforesaid road shown coloured green to be taken for portion of the North Island Main Trunk Railway and for a roadman's cottage, and it is therefore desirable to validate the said Proclamations: Be it therefore enacted as follows:

(1) The area of road coloured green on the said plan Number 22910 is hereby declared to be and to have been closed and to have been included in Sections 6, 8, 11, 12, 13, 15, 16, and 17, Block XII, Manganui Survey District, as from the thirty-first day of December, nineteen hundred and eight.

Closing certain portions of a public road and declaring certain lands to be public road in Block XII, Manganui Survey District, and validating the issue of certain leases, certificates of title, and Proclamations. See Reprint of Statutes, Vol. VII, p. 669

(2) The areas coloured red on the said plan Number 22910 are hereby declared to have been proclaimed road as from the thirty-first day of December, nineteen hundred and eight.

1952, No. 52

(3) All leases heretofore registered under the Land Transfer Act 1952 of any of the said land, and all registered dealings therewith, and certificates of title, Volume 355, folio 221, Volume 472, folio 57, Volume 500, folio 92, Volume 524, folio 252, and Volume 524, folio 253, Wellington Registry, and Proclamations numbered 621 and 3165, are hereby validated and declared to be and to always have been of full force and effect.

(4) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books, in the outstanding duplicate leases, and in the outstanding certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section.

Special provisions relating to certain reserves in the Borough of Port Chalmers. 1944, No. 23

4. Whereas by section thirty-four of the Local Legislation Act 1944, the land described in subsection *six* of this section is vested in the Mayor, Councillors, and Burgesses of the Borough of Port Chalmers as a public reserve for the purposes of a public library in the Borough of Port Chalmers: And whereas the Port Chalmers Borough Council (in this section referred to as the Council) has granted leases in respect of parts of the said land: And whereas the leases purport to confer certain rights to successive renewals thereof: And whereas the Council has no power to grant leases containing these rights in respect of the said land: And whereas it is expedient that the leases granted by the Council be validated and that the Council be granted additional leasing powers in respect of the said land: And whereas the public library for the Borough of Port Chalmers is now operating in the Council's Municipal Buildings, and it is desirable that any revenue derived from the said land is to be applied by the Council for library purposes only: Be it therefore enacted as follows:

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

(2) The registration of all or any of the said leases under the Land Transfer Act 1952 is hereby validated and declared always to be and to have been of full force and effect from the date thereof. 1952, No. 52

5 (3) The revenue derived from the said land shall be applied by the said Council for library purposes only.

(4) Notwithstanding anything to the contrary in any Act or rule of law, the Council shall have, in respect of the land described in subsection *six* of this section, all powers of leasing and other powers set forth in sections one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, and one hundred and sixty-two of the Municipal Corporations Act 1933. 1933, No. 30

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

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

All that area in the Otago Land District and the Borough of Port Chalmers, being—

25 Firstly, all that area containing by admeasurement one acre, more or less, being Sections 393, 394, and 395 and part Section 396, Town of Port Chalmers, and being all of the land comprised and described in certificate of title, Volume 233, folio 19, Otago Registry, limited as to parcels and limited in part as to title.

30 Secondly, all that area containing by admeasurement twenty perches, more or less, being Section 405, Town of Port Chalmers.

35 5. Whereas the area coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 23161 is public road within the meaning of section one hundred and ten of the Public Works Act 1928: And whereas portions of the aforesaid area of road were included in certain certificates of title issued for parts of Section 36, Hutt District, situated in Block IX, Belmont Survey District, without first having been closed: And whereas the area coloured orange on the aforesaid plan Number 23161 has been used as a public road without legal authority: And whereas, to put in

Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title.

See Reprint of Statutes, Vol. VII, p. 669

order the certificates of title which have been issued affecting the lands concerned, it is expedient that the said area of road coloured green should be closed as from the sixth day of May, eighteen hundred and eighty-four, and that the said area coloured orange should be proclaimed road as from the same date: Be it therefore enacted as follows: 5

(1) The area of road coloured green on the said plan Number 23161 is hereby declared to be and to have been closed and to have formed part of Section 36, Hutt District, situated in Block IX, Belmont Survey District, as from the sixth day of May, eighteen hundred and eighty-four. 10

(2) The area coloured orange on the said plan Number 23161 is hereby declared to have been proclaimed road as from the sixth day of May, eighteen hundred and eighty-four. 15

(3) Certificates of title, Volume 18, folio 105, Volume 83, folio 150, Volume 233, folio 252, Volume 286, folio 260, Volume 287, folio 116, Volume 373, folio 113, Volume 377, folio 186, Volume 387, folio 21, Volume 491, folio 267, and Volume 497, folio 116, Wellington Registry, are hereby validated and declared to be and to always have been of full force and effect as from the date they were issued. 20 25

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

Amending
Section 102 of
the Reserves
and Other
Lands
Disposal and
Public Bodies
Empowering
Act 1920.
1920, No. 75

6. Whereas section one hundred and two of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 vested in the Corporation of the Borough of Hawera (in this section referred to as the Corporation) certain land as a site for a peace memorial and club house for use by members of the New Zealand Returned Soldiers' Association (Incorporated), now the New Zealand Returned Services' Association (Incorporated): And whereas the said section one hundred and two authorized the Corporation to grant a licence of the said land to the South Taranaki (Hawera) Branch 35 40

of the said Association, now the South Taranaki Returned Services' Association (Incorporated), and for the affairs of the club to be controlled by a committee of not less than eight members composed of an equal number of members of the said branch of the said Association and of burgesses of the Borough of Hawera upon terms defined in subsection four of the said section: And whereas it is desirable to have the affairs of the club controlled solely by the South Taranaki Returned Services' Association (Incorporated): And whereas the Corporation has agreed to the club's affairs being so controlled, and it is desirable to make provision accordingly: Be it therefore enacted as follows:

Section one hundred and two of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 is hereby amended by repealing subsection four, and substituting the following subsection:

“(4) The affairs of the club shall be controlled by the South Taranaki Returned Services' Association (Incorporated).”

7. Whereas the land firstly described in subsection *three* of this section is portion of an area reserved for the growth and preservation of timber by notice published in the *Gazette* of the twenty-eighth day of July, eighteen hundred and eighty-one, and the land secondly described in the said subsection is portion of an area reserved for State forest by notice published in the *Gazette* of the eighteenth day of January, nineteen hundred: And whereas the lands firstly and secondly described are State forest land within the meaning of the Forests Act 1949: And whereas the lands so described adjoin land vested in the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the Corporation) for water supply and other purposes pursuant to section four of the Wellington City and Suburban Water Supply Act 1927, as amended by section four of the Wellington City and Suburban Water Supply Amendment Act 1947: And whereas the Corporation desires the said lands firstly and secondly described in subsection *three* of this section to be vested in it for the purposes prescribed in the said Act: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:

Vesting State forest land in the Corporation of the City of Wellington for water supply and other purposes.
1949, No. 19

1927 (Local),
No. 24
1947 (Local),
No. 8

(1) The lands described in subsection *three* of this section shall cease to be State forest land within the meaning of the Forests Act 1949, and are hereby vested in the said Corporation for the purposes set out in section four of the Wellington City and Suburban Water Supply Act 1927, as amended by section four of the Wellington City and Suburban Water Supply Amendment Act 1947. 5

(2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed, on application being made to him in that behalf, and on payment of the appropriate fees, to issue such certificate of title and to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section. 10 15

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

All those areas in the Wellington Land District, Hutt County, being—

Firstly, Section 2, Block X, Rimutaka Survey District, and Section 3, Block XVII, Belmont Survey District, containing together by admeasurement eighty-nine acres one rood and seventeen perches, more or less (S.O. Plan 23106). 20

Secondly, Section 2, Block XVII, Belmont Survey District, containing by admeasurement two hundred and eighty-six acres two roods and thirty-four perches, more or less (S.O. Plan 23106). 25

As the same are more particularly delineated on the plan marked L. and S. 22/3404 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. 30

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

8. Whereas the lands described in subsection *two* of this section are set apart as permanent State forest land under the Forests Act 1949: And whereas it is desirable that they should be declared Crown land subject to the Land Act 1948: Be it therefore enacted as follows: 35

(1) The setting apart of the lands described in subsection *two* of this section as permanent State forest is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948. 40

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

5 Firstly, all that area in the North Auckland Land District, Mangonui County, containing by admeasurement one hundred and fifteen acres two roods thirty-five perches and three-tenths of a perch, more or less, being parts of Section 5, Block VI, Mangonui Survey District: as the same is more particularly delineated on the plan marked L. and S. X/91/39A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland S.O. Plan 38525).

10 Secondly, all that area in the North Auckland Land District, Hokianga County, containing by admeasurement seventy-one acres one rood and twenty perches, more or less, being part of Section 1, Block IV, Mangamuka Survey District, and being part of the land proclaimed as permanent State forest by a Proclamation published in the *Gazette* of the seventeenth day of March, nineteen hundred and thirty-eight, at page 471: as the same is more particularly delineated on the plan marked L. and S. 12/22, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland S.O. Plan 37387).

15 Thirdly, all that area in the North Auckland Land District, Whangarei County, containing by admeasurement forty-one acres three roods and twenty perches, more or less, being parts of Allotment 64, Hikurangi Parish, Block V, Purua Survey District, and being part of the land comprised and described in certificate of title, Volume 528, folio 164, Auckland Registry: as the same is more particularly delineated on the plan marked L. and S. X/91/46, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland S.O. Plan 38135).

20 Fourthly, all that area in the North Auckland Land District, Bay of Islands County, containing by admeasurement thirty perches and four-tenths of a perch, more or less, being formerly part of Whakanekeneke 1B Block, situated in Block VI, Omapere Survey District, and being all of the land proclaimed as permanent State forest by a Proclamation published in the *Gazette* of the fourteenth day of October, nineteen hundred and forty-three, at

page 1203: as the same is more particularly delineated on the plan marked L. and S. X/91/7A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland S.O. Plan 32777). 5

Fifthly, all that area in the Southland Land District, Wallace County, containing by admeasurement fifty-four acres two roods and thirty-five perches, more or less, being Section 198 (formerly part of Section 7), Block XII, Waiau Survey District, and being part of the land 10 comprised and described in certificate of title, Volume 135, folio 105, Southland Registry: as the same is more particularly delineated on the plan marked L. and S. 36/318 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered 15 red (Southland S.O. Plan 6108).

Sixthly, all that area in the Southland Land District, Wallace County, containing by admeasurement four hundred and thirty-one acres two roods and thirty 20 perches, more or less, being Sections 200, 201, and 202 (formerly part of Section 7), Block XII, Waiau Survey District, and being part of the land comprised and described in certificate of title, Volume 135, folio 105, Southland Registry: as the same is more particularly 25 delineated on the plan marked L. and S. 36/318A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Southland S.O. Plans 6150 and 6173).

Seventhly, all that area in the Southland Land 30 District, Wallace County, containing by admeasurement seven hundred and twenty-four acres and twenty-five perches and seven-tenths of a perch, more or less, being Section 204R and part of Sections 13, 18, 96, 177, 204, and 277, Block XII, Wairio Survey District, and being part 35 of the land comprised and described in certificate of title, Volume 158, folio 245, Southland Registry: as the same is more particularly delineated on the plan marked L. and S. X/101/35 deposited in the Head Office, Department of Lands and Survey, at Wellington, and 40 thereon bordered red (Southland S.O. Plan 6186).

9. Whereas the lands firstly, secondly, and thirdly described in subsection *seven* of this section were granted to the Superintendent of the Province of Otago in trust for certain purposes: And whereas by transfer numbered 5 9919 registered in the Land Registry Office at Dunedin on the fourth day of July, eighteen hundred and eighty-one, the said lands, together with certain other lands, were, pursuant to section three hundred and fifty-two of the Municipal Corporations Act 1876, transferred 10 from Her Majesty to the Mayor, Councillors, and Burgesses of the Borough of Cromwell (in this section referred to as the Corporation) as a reserve for endowment for the municipality of Cromwell: And whereas the said section three hundred and fifty-two provided 15 that any land so transferred be vested for the same purposes for which the land was held at the date of the passing of the said Act: And whereas the lands firstly described in subsection *seven* of this section were originally held in trust for municipal purposes for the Municipal 20 Corporation of the Town of Cromwell, the lands secondly described in the said subsection in trust for the purposes of public recreation for the Town of Cromwell and its inhabitants, and the land thirdly described in the said subsection in trust as a site for a bridge at Cromwell: 25 And whereas the lands have always been regarded as having been held in trust for the purposes above mentioned, and it is therefore desired to vest them in trust for those purposes: Be it therefore enacted as follows:
- 30 (1) Notwithstanding anything to the contrary in any Act or rule of law, the vesting in the Corporation of the lands firstly, secondly, and thirdly described in subsection *seven* of this section is hereby cancelled.
- (2) The lands firstly described in subsection *seven* 35 of this section are hereby vested in the Corporation for municipal purposes to be held subject to the Municipal Corporations Act 1933. 1933, No. 30
- (3) The lands secondly described in subsection *seven* of this section are hereby vested in the Corporation in 40 trust for the purposes of public recreation.
- (4) The land thirdly described in subsection *seven* of this section is hereby vested in the Corporation as a site for a bridge.

Cancelling the vesting as an endowment over certain lands and revesting those lands in the Corporation of the Borough of Cromwell in trust for municipal and recreation purposes and as a site for a bridge.

(5) Nothing in this section shall be deemed to affect the validity of any dealing with any part of the said land in accordance with the terms under which it was held prior to the commencement of this Act.

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

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

All those areas in the Otago Land District and in the Borough of Cromwell, being—

Firstly, all those areas containing together by admeasurement eight acres one rood thirty-six perches and seven-tenths of a perch, more or less, and being Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12, Block VIII, and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block XXXIX, and Sections 4 and 13, Block LXVII, and Sections 1 and 2, Block LXIII, and Sections 3, 4, 5, 6, 7, 11, 12, and 14, Block XXXV, and all of Block LXXXVIII, Town of Cromwell, being all the land comprised and described in certificates of title, Volume 52, folios 269, 270, 272, 274, and 280, and the balance of the land comprised and described in certificates of title, Volume 52, folios 271 and 279, Otago Registry. 15 20 25

Secondly, all those areas containing together by admeasurement thirty-one acres three roods and five perches, more or less, and being all of Block IX, and Section 1, Block XV, Town of Cromwell, being all the land comprised and described in certificates of title, Volume 46, folios 34 and 60, Otago Registry. 30

Thirdly, all that area containing by admeasurement one acre and sixteen perches, more or less, and being Bridge Reserve, Town of Cromwell, being all the land comprised and described in certificate of title, Volume 46, folio 22, Otago Registry. 35

10. Whereas the land firstly and secondly described in subsection *ten* of this section is a public domain subject to the provisions of Part III of the Reserves and Domains Act 1953 and is known as Queen Elizabeth Park: And whereas the Minister of Lands (in this section referred 40

to as the Minister) has agreed to lease to the Corporation of the City of Wellington (in this section referred to as the Corporation) that portion of the said public domain secondly described in subsection *ten* of this section
5 so that the land may be developed and maintained by the Wellington City Council (in this section referred to as the Council) on behalf of the Corporation for recreation purposes: And whereas it has also been agreed between the Minister and the Council on behalf of the
10 Corporation that the Council shall make certain monetary contributions towards the development and maintenance of the balance of the said domain: And whereas certain other interested bodies may wish also to make monetary contributions for the development and maintenance of
15 the balance of the said domain: And whereas for these reasons it is desirable to make special provision for the appointment of a Domain Board to control the said domain and for the granting of a lease to the Corporation: Be it therefore enacted as follows:

20 (1) Subject to the provisions of this section, the Minister shall appoint, in accordance with the Reserves and Domains Act 1953, a Domain Board (in this section referred to as the Board) to control the said domain.

(2) The Board shall consist of—

25 (a) The Commissioner of Crown Lands for the Land District of Wellington:

(b) Three persons appointed by the Minister on the recommendation of the Council:

30 (c) One person appointed by the Minister on the joint recommendation of the Hutt County Council and such other local bodies as may from time to time contribute to the funds of the Board or financially and materially assist in the development and maintenance of the
35 said domain:

(d) One other person to be appointed by the Minister.

(3) The persons appointed under paragraph (b), paragraph (c), or paragraph (d) of subsection *two* of
40 this section shall hold office for a term of three years, and may from time to time be reappointed.

(4) No alteration shall be made in the membership of the Board, as constituted by subsection *two* of this section, unless the Minister and the Council have
45 agreed to any such alteration in membership.

(5) The Chairman of the Board shall be elected at each annual meeting of the Board from among its members and shall hold office for a term of one year. In the event of there being more than one nomination for the office of Chairman, the Chairman shall be the person receiving the majority of the valid votes of those present at the meeting when the election is held, and, should there be an equality of votes, the appointment of Chairman shall be made by the Minister. 5

1953, No. 69 (6) Except as otherwise provided by this section, all the provisions of the Reserves and Domains Act 1953 shall apply to the Board and to the said domain. 10

(7) The Minister, on behalf of Her Majesty, shall lease the area secondly described in subsection *ten* of this section to the Corporation for recreational purposes for a term of thirty-three years, free of rent, and any such lease shall contain perpetual rights of renewal and shall be on such terms and conditions as may be agreed upon by the Minister and the Corporation: 15

Provided that no rent shall be payable in respect of any such renewed term. 20

(8) Any lease granted pursuant to subsection *seven* of this section shall not be deemed to involve the Corporation in any liability for rates, taxes, or other assessments imposed by the Crown or any local authority: 25

Provided that this authority shall not be construed to exempt the leased land from special rates to which it is liable at the commencement of this Act.

1933, No. 30 (9) Notwithstanding anything in the Reserves and Domains Act 1953, or in any other Act, the Corporation shall administer the said leased land in all respects as if it were a public pleasure ground under and subject to the provisions of the Municipal Corporations Act 1933, and all the provisions of that Act relating to pleasure grounds shall, as far as they are applicable, and with the necessary modifications, apply accordingly. 30 35

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

Firstly, all that area in the Wellington Land District, Hutt County, containing by admeasurement one thousand three hundred and thirty-three acres, more or less, being Section 2, Block II, Paekakariki Survey District (S.O. Plan 23214). 40

Secondly, all that area in the Wellington Land District, Hutt County, containing by admeasurement two hundred and thirty acres, more or less, being Section 3, Block II, Paekakariki Survey District (S.O. Plan 23214).

11. Whereas the land described in subsection *four* of this section is vested in the Education Board of the District of Canterbury (in this section referred to as the Board) for an estate in fee simple: And whereas the land has been occupied by the Waimairi Beach Golf Club (Incorporated) (in this section referred to as the club) for some years past and comprises the greater part of the Waimairi golf course: And whereas it is desirable that the club should be granted a lease of the said land and that the Minister of Education (in this section referred to as the Minister) should be empowered to authorize the Board to lease the said land to the club upon appropriate terms and conditions: Be it therefore enacted as follows:

Conferring special leasing powers on the Canterbury Education Board.

(1) Notwithstanding anything to the contrary in the Education Lands Act 1949, or the Public Bodies' Leases Act 1908, or any other Act or rule of law, the Board, with the consent of the Minister, may lease the land described in subsection *four* of this section to the club for such term, at such rental, and subject to such conditions as the Minister may think fit.

1949, No. 24
See Reprint of Statutes, Vol. IV, p. 1031

(2) Any such lease may confer on the lessee a right of renewal either for a fixed term or in perpetuity as the Minister in his discretion approves.

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

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

All that area in the Canterbury Land District, Waimairi County, being part of Reserve 1579 and part of Rural Section 16034, situated in Block VIII, Christchurch Survey District, containing by admeasurement one hundred and fourteen acres two roods and twenty-seven perches and six-tenths of a perch, more or less, and being all of the land comprised and described in certificate of title, Volume 608, folio 58, Canterbury Registry.

Vesting certain land in the Chairman, Councillors and inhabitants of the County of Ashburton for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953.
1901, No. 71

1953, No. 69

12. Whereas by a Warrant issued pursuant to section thirty-five of the Reserves and Other Lands Sale Disposal and Enabling and Public Bodies Empowering Act 1901, dated the thirty-first day of January, nineteen hundred and two, the land described in subsection *three* of this section (in this section referred to as the said land), together with other lands, were granted to the inhabitants of South Rakaia Road District for an estate in fee simple in trust, without power of sale or lease, for plantation purposes: And whereas the said land is now vested in the Chairman, Councillors, and inhabitants of the County of Ashburton (in this section referred to as the Corporation): And whereas the Corporation desires the said land to be vested in it as a reserve for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953: And whereas it is desirable to make provision accordingly: Be it therefore enacted as follows:

(1) The land described in subsection *three* of this section is hereby declared to be no longer held by the Corporation for an estate in fee simple in trust, without power of sale or lease, for plantation purposes, and is hereby declared to be vested in the Corporation for an estate in fee simple as a reserve for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953.

(2) The District Land Registrar for the Canterbury Land Registration District is hereby authorized and directed to cancel certificate of title, Volume 200, folio 15, Canterbury Registry, as to the said land, and is hereby authorized and directed to issue a new certificate of title for the said land in the name of the Corporation as a reserve for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953, and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All that area in the Canterbury Land District, Ashburton County, containing by admeasurement one acre, more or less, being Reserve 1671, situated in the Town of Rakaia, and being part of the land comprised

in certificate of title, Volume 200, folio 15, Canterbury Registry: as the same is more particularly delineated on the plan marked L. and S. 41948 deposited in the Head Office, Department of Lands and Survey, at Wellington, 5 and thereon edged red.

13. Whereas the land described in subsection *four* of this section is vested in the Whangarei High School Board (in this section referred to as the Board) for an estate in fee simple: And whereas the said land has been 10 used for some years by the Whangarei Rugby Football Union (Incorporated) (in this section referred to as the Union) and is known as Rugby Park: And whereas the land is not required by the Board for High School buildings and it is desirable that it be leased to 15 the Union so that it may be developed for recreational purposes subject to certain rights of user retained to the Board: And whereas it is desirable that the Board be authorized to enter into a lease with the Union, subject to the retention of the aforesaid rights of user, on such 20 terms as the Minister of Education (in this section referred to as the Minister) may approve: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Education Lands Act 1949, or the Public Bodies' Leases 25 Act 1908, or in any other Act or rule of law, the Board is hereby authorized to lease to the Union the land described in subsection *four* of this section, or any part or parts thereof, for such term and under such conditions as to rent and otherwise as the Minister may approve:

30 Provided that any lease granted under this subsection shall, notwithstanding any rule of law to the contrary, contain a covenant reserving to the Board and to the staff and pupils of the Whangarei High School the right to use without charge the playing fields and adjoining 35 areas on the leased land on all days from Monday to Friday, inclusive, and on such other days as may be required.

(2) Any lease granted under subsection *one* of this section may confer on the lessee a right of renewal, either 40 for a term of years or in perpetuity, as the Minister in his discretion may approve.

Conferring special leasing powers on the Whangarei High School Board.

1949, No. 24
See Reprint of Statutes, Vol. IV, p. 1031

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

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

All that area in the North Auckland Land District, Borough of Whangarei, situated in Block XII, Purua Survey District, and containing by admeasurement eighteen acres three roods and thirty perches, more or less, being part of Allotment 1 of the Parish of Whangarei, and being part of the land comprised and described in certificate of title, Volume 523, folio 258, Auckland Registry (limited as to parcels and title): as the same is more particularly delineated on the plan marked L. and S. 13/276/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (S.O. Plan 38483). 10 15 20

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

14. Whereas the lands described in subsection *three* of this section are vested in the trustees for the time being of the will of James Gammack, late of Springston in the Provincial District of Canterbury, farmer, deceased, but without power of sale: And whereas the trustees desire to sell and dispose of the said lands and invest the proceeds arising from the sale in trust for the beneficiaries of the said will: And whereas it is expedient that provision be made in that behalf: Be it therefore enacted as follows: 25 30

(1) The trustees for the time being of the will of the said James Gammack, deceased, may, with the consent of the beneficiaries interested in the lands, and with the approval of the Commissioner of Crown Lands for the Canterbury Land District, sell the lands described in subsection *three* of this section and invest the proceeds of any such sales for the benefit of the beneficiaries under the said will. 35

(2) Subject to the consent of the said beneficiaries, and to the approval of the said Commissioner, any such lands may be sold either in one lot or in several lots, by public auction or by private contract, upon such terms as 40

to payment of purchase money and subject to such stipulations as to title or otherwise as the aforesaid trustees shall think fit with power for the said trustees to buy in any of the said lands or to rescind or vary contracts for sale and to resell without responsibility for loss.

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

All that area situated in Block VIII, Leeston Survey District, containing by admeasurement one acre one rood twenty perches and three-tenths of a perch, more or less, being Lots 1, 2, 3, 4, and 5 on the plan lodged in the Land Registry Office at Christchurch under Number 17600, being part of Rural Section Number 3043 and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry.

15. Whereas pursuant to the authority of section three hundred and fifty of the Municipal Corporations Act 1876 the land firstly described in subsection *four* of this section, together with certain other land, was vested for an estate in fee simple in the Corporation of the Borough of Wanganui, now the City of Wanganui (in this section referred to as the Corporation), in trust as an endowment in aid of the Wanganui Borough funds:

25 And whereas the land secondly described in subsection *four* of this section is portion of provisional State forest land set apart by Proclamation published in the *Gazette* of the twenty-ninth day of July, nineteen hundred and twenty-six, and is subject to the provisions of the Forests Act 1949: And whereas it is desirable for the better working and administration of the lands firstly and secondly described in the said subsection that the land firstly described should be exchanged for the land secondly described: Be it therefore enacted as follows:

35 (1) The vesting of the land firstly described in subsection *four* of this section in the Corporation is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as provisional State forest land under and subject to the Forests Act 1949.

40 (2) The reservation as provisional State forest land over the land secondly described in subsection *four* of this section is hereby revoked and that land is hereby vested

Effecting an exchange between Her Majesty and the Corporation of the City of Wanganui in respect of certain land in Wanganui County.

1949, No. 19

in the Corporation for an estate in fee simple in trust as an endowment in aid of the Wanganui City funds.

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

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

All those areas in the Wellington Land District, Wanganui County, being— 10

Firstly, all that area containing by admeasurement ninety-two acres, more or less, being Lot 1 on the plan deposited in the Land Registry Office at Wellington under Number 17639, being part of Section 1, Block VI, Mangawhero Survey District, and being part of the land comprised and described in certificate of title, Volume 43, folio 213, Wellington Registry. 15

Secondly, all that area containing by admeasurement one hundred and twenty-seven acres three roods and twenty perches, more or less, being Lot 2 on the plan deposited in the Land Registry Office at Wellington under Number 17639, and being part of Section 4, Block VI, Mangawhero Survey District. 20

Declaring certain endowment lands vested in the University of Otago to be Crown land subject to the Land Act 1948, making provision for the payment of certain moneys to the University and Dunedin Athenaeum, and validating certain payments made to the Athenaeum. 1948, No. 64 1877 (Local), No. 56

16. Whereas the lands described in subsection *seven* of this section (in this section referred to as the said lands) are vested in the University of Otago (in this section referred to as the University) as endowments for the Otago Museum and the Dunedin Athenaeum and Mechanics' Institute (in this section referred to as the Athenaeum): And whereas the said lands are administered by the Crown on behalf of the University: And whereas it has been agreed between the University and Her Majesty that the said lands be resumed as Crown land and that certain money be paid for the interests of the University and the Athenaeum in the said lands: And whereas it is desirable to declare the said lands Crown land subject to the Land Act 1948 and also to make provision for the payment of the money above mentioned to the University and the Athenaeum: And whereas section five of the Otago Museum Act 1877 provides that certain revenue derived from the said lands is to be applied to the Athenaeum: And whereas on 25 30 35 40

renewal of the leases over the said lands the rentals have been reduced and the reduction is retrospective to the expiry date of the said leases without account being taken of any statutory extensions: And whereas the lessees of the said lands have accordingly accumulated certain rental credits and the revenue from the endowment has temporarily ceased: And whereas it is desirable that any such revenue should continue and that certain payments made to the Athenaeum (representing rentals received from the expired leases), should be validated: Be it therefore enacted as follows:

(1) Subject to the provisions of subsection *two* of this section, the lands described in subsection *seven* of this section are hereby declared to be no longer vested in the University in trust as endowments for the Otago Museum and the Athenaeum and are hereby declared to be Crown land under and subject to the provisions of the Land Act 1948 subject to all leases, liens, encumbrances, and easements affecting the land but otherwise freed and discharged from all reservations and trusts heretofore affecting the said lands.

1948, No. 64

(2) In full satisfaction of the interests of the University and the Athenaeum in the lands described in subsection *seven* of this section, the Minister of Lands is hereby authorized to pay to the University out of the Land Settlement Account, from money appropriated for the acquisition of land and interests therein, the sum of nineteen thousand two hundred and sixty pounds to be held in trust to apply the income therefrom to and for the maintenance of the Otago Museum, and the said Minister is hereby further authorized to pay to the Athenaeum out of the said Account the sum of two thousand one hundred and forty pounds to be held in trust to apply the income therefrom to and for the general purposes of the Athenaeum.

(3) The Minister of Lands is also hereby authorized to pay to the University and to the Athenaeum, out of the appropriation referred to in subsection *two* of this section, interest at the rate of four per cent per annum on the sums referred to in subsection *two* of this section from the first day of March, nineteen hundred and fifty-three, to the date of payment of the said sums.

1877 (Local),
No. 56

(4) Notwithstanding anything to the contrary in the Otago Museum Act 1877 or in any other Act or rule of law, all payments heretofore made to the Athenaeum from revenue derived from the said lands are hereby validated and declared to have been lawfully made. 5

(5) Sections three to seven of the Otago Museum Act 1877 are hereby repealed.

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

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

All those areas in the Taieri County, Otago Land District, containing by estimation ten thousand nine hundred and eighty acres, more or less, being Sections 1524R and 1525R, Block VI, Silverpeak Survey District, and Runs 520 and 521 situated in Blocks XI and XII, Nenthorn Survey District, and Block VI, Silverpeak Survey District, together with all roadlines and river-bank reserves intersecting or adjoining Runs 520 and 521 (formerly described as parts of Runs numbered 20 and 77 on the map of the North Eastern Pastoral District, deposited in the Survey Office, Dunedin): as the same are more particularly delineated on the plan marked L. and S. 22/4955/1 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (S.O. Plan 11767). 15
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