

Reprint
as at 1 July 2013

**Reserves and Other Lands Disposal
and Public Bodies Empowering Act
1921–22**

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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An Act to provide for the exchange, sale, reservation, and other disposition of certain reserves, Crown lands, endowments, and other lands, to validate certain transactions, and to confer certain powers on certain Public Bodies.

1 Short Title

This Act may be cited as the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22.

2 Reservation over lands described in Schedule 1 cancelled, and lands declared to be Crown lands

The reservation over the several parcels of land described in Schedule 1 for the several purposes specified in that Schedule is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1948.

Section 3: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

3 Purposes for which lands described in Schedule 2 are reserved changed from those set out in second column to those set out in third column of that Schedule

The reservation over the several parcels of land described in the first column of Schedule 2 for the purposes stated in the second column thereof is hereby cancelled, and each of the said parcels of land is hereby declared to be reserved for the purposes specified in the third column of the said Schedule.

4 Closing road along Victoria River, North Auckland Land District, and authorizing disposal thereof

Whereas the river-bank road situated between Section 1, Block VII, Takahue Survey District, and the Victoria River, in the

North Auckland Land District, is not required for the purpose for which it was originally intended:

And whereas it is desirable to close the said road and to dispose of the land comprised therein under the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the river-bank road hereinafter described is hereby closed, and the land comprised therein is hereby declared to be Crown land available for disposal under the Land Act 1948.

- (2) The road hereby closed is particularly described as follows:

All that area in the North Auckland Land District, containing by admeasurement 1 acre 2 roods 22 perches, more or less, being portion of a road adjoining Section 1, Block VII, Takahue Survey District: bounded towards the north-east generally by the Victoria River; towards the south-east by Section 100 (ER) of the aforesaid Block VII, Takahue Survey District, 122 links; towards the south-west generally by the aforesaid Section 1 of Block VII, Takahue Survey District, 411.8 links and 150 links, and the Te Ripanga Stream: be all the aforesaid linkages more or less: as the same is delineated on plan marked 9/859, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 4: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

5 Declaring certain land in North Auckland Land District to cease to form part of national endowment, and validating license to occupy granted in respect thereof

Whereas by Schedule 4 to the Land Act 1908, the land comprised in Section 7, Block XIV, Takahue Survey District, which contains an area of 518 acres, more or less, was included in the national endowment:

And whereas by section 259 of the said Act no such land can be disposed of by way of occupation with right of purchase:

And whereas, notwithstanding the said provisions, the Auckland Land Board has inadvertently granted a license, dated 13 March 1913, to occupy the said land with right of purchase:

And whereas it is deemed expedient to validate the said license granted irregularly as aforesaid:

Be it therefore enacted as follows:

- (1) Section 7, Block XIV, Takahue Survey District, is hereby declared to have ceased to be part of the national endowment on 13 March 1913, and the license granted as aforesaid to occupy the said land and all transactions connected with such license are hereby validated and declared as valid and effectual as if the said land had not been included in the national endowment: provided that all moneys derived from the said land in respect of the license aforesaid shall be applied in the manner prescribed by subsection (8) or subsection (9) of section 11 of the Land Laws Amendment Act 1920, as the case may require.

6 Closing portion of road along Wairoa River, North Auckland Land District, and authorizing disposal thereof

Whereas the river-bank road situated between Section 19, Block II, Te Kuri Survey District, and the Wairoa River is in excess of 1 chain in width, and it is desirable to close portion of the same and to dispose of the said closed portion under the Land Act 1948

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the hereinafter-described portion of the aforesaid river-bank road is hereby closed, and the land comprised therein is hereby declared to be Crown land available for disposal under the Land Act 1948.
- (2) The portion of the aforesaid road hereby closed is more particularly described as follows:

All that area in the North Auckland Land District, containing by admeasurement 2 acres 2 roods 4 perches, more or less, commencing at the easternmost corner of Section 19, Block II, Te Kuri Survey District: bounded towards the south-west by the said Section 19 to a public road, 446 links; towards the north by the said public road, 649.1 links; towards the south-east generally by a river-bank road to the aforesaid Section 19, aggregating 1137.5 links; thence towards the north-west by the said Section 19, 578.9 links, to the point of commencement:

be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 9/850, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Section 6: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

**7 Section 83 of Reserves and Other Lands Disposal and
Public Bodies Empowering Act 1920, amended**

Whereas by section 83 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, the Corporation of the Whangarei High School Board (hereinafter referred to as the **Board**) was empowered to borrow from the Public Trustee, with the sanction of the Governor-General, and the Public Trustee was empowered to lend to the Board the sum of 2,000 pounds at interest at the rate of 5.5 per centum per annum on certain terms and conditions set forth in the section:

And whereas it is expedient to vary the provision as to the rate of interest to be paid by the Board for the said loan:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Education Lands Act 1949, the Board is hereby empowered to pay to the Public Trustee in respect of any loan granted to it pursuant to the said section 83 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, interest at such rate, not exceeding 7 per centum per annum, as is current in the Public Trust Office at the time when the loan is granted, instead of interest at a rate of 5.5 per centum per annum as provided by the said section 83.

Section 7: amended, on 1 January 1950, pursuant to section 21 of the Education Lands Act 1949 (1949 No 24).

**8 Vesting in Council of the University of Auckland control
and management of a certain State forest in North
Auckland Land District**

Whereas by Proclamation published in the *Gazette* of 7 April 1887, the land hereinafter described was set apart as and for a State forest:

And whereas it is desired to vest the control and management of the said State forest in the Council of the University of Auckland for the purposes hereinafter mentioned:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in the Forests Act 1949, or any Act passed in substitution therefor, the control and management of the State forest hereinafter described are hereby vested in the Council of the University of Auckland, subject to the following conditions:
 - (a) the said State forest shall be utilised by the said Council as a forest-experiment station and as a centre for biological research in connection with the ecological factors influencing the growth of trees, and for studies in silviculture, in the management of forests, and in any other subject pertaining to forestry:

provided that the officers of the State Forest Service shall have at all times the right of ingress, egress, and regress for the purpose of inspecting any part of the said State forest.
 - (b) the Council of the University of Auckland in April of each year shall cause to be furnished to the Commissioner of State Forests a report for the year ending on the preceding 31 March on the experiments carried out in connection with the said State forest.
- (2) The State forest to which this section refers is particularly described as follows:

All that area in the North Auckland Land District, containing by admeasurement 53 acres 2 roods 37 perches, more or less, situate in Block XIII, Survey District of Waitemata, being Part of Allotment 169 of the Parish of Waipareira—commencing at the south-west corner of Allotment 126: bounded towards the north by Allotment 126 aforesaid of the Parish of Waipareira; towards the south-east generally by a public road to its intersection with Allotment 11 of the aforesaid parish; thence towards the west by Allotments 11 and 9 of the aforesaid parish to the point of commencement: as the same is delineated on plan marked L and S 13/90/13, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Section 8: amended, on 16 October 1957, pursuant to section 5(2) of the University of Auckland Amendment Act 1957 (1957 No 25).

Section 8: amended, on 1 January 1950, pursuant to section 73(1) of the Forests Act 1949 (1949 No 19).

9 Authorizing extension of limit of area of New Lynn Town District

Notwithstanding anything in the Town Boards Act 1908 (limiting the area of a town district to 2 square miles), the Governor-General may, by Proclamation, enlarge the boundaries of the New Lynn Town District, but so that the said town district shall not exceed an area of 3 square miles, and may act under this section in respect of any petition praying for such alteration that may have been presented to him before the passing of this Act.

10 Section 25 of Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915, amended

[Repealed]

Section 10: repealed, on 1 April 1925, by section 48(1) of the North Shore Boroughs (Auckland) Water-supply Act 1924 (1924 No 17 (L)).

11 Authorizing Auckland City Corporation to convey certain lands to Council of the University of Auckland

Whereas all those parcels of land situated in the Provincial District of Auckland and being, firstly, Lot 1 of Subsection 2 of a subdivision by the Auckland Improvement Commissioners of Section 13 of the City of Auckland—bounded towards the north-east by the Government House grounds 111 feet, on the north-west by the same grounds 15 feet, again on the north-east by the same grounds 53 feet, on the south by Lot 2 of the said subsection 126 feet, and on the west by Princes Street 98 feet; and, secondly, Lot 2 of Subsection 2 of a subdivision by the said Commissioners of Section 13 of the said city—bounded on the north by Lot 1 of the said subsection 126 feet, on the north-east by the barrack-wall forming a boundary to the Government House grounds 75 feet and 12 feet, on the south by Lot 3 of the said subsection 195 feet, and on the west by Princes Street 58 feet—are now vested in the Corporation of the City of Auckland (hereinafter in this section referred

to as the **Corporation**) for an estate in fee-simple, subject, however, to leases originally granted to William Oliver and John Chambers respectively, but which have been sold and assigned to the Council of the University of Auckland, a corporate body incorporated under the Auckland University College Act 1882:

And whereas the Corporation is desirous of conveying to and vesting in the said the Council of the University of Auckland the freehold in fee-simple of and in the said lands:

Be it therefore enacted as follows:

The Corporation is hereby authorised and empowered to convey to and vest in the said the Council of the University of Auckland the freehold in fee-simple of and in the said lands without receiving any payment or consideration therefor, and the said lands shall be held by the said the Council of the University of Auckland in trust for the purposes and objects of the said Council.

Section 11: amended, on 16 October 1957, pursuant to section 5(2) of the University of Auckland Amendment Act 1957 (1957 No 25).

12 Cancellling reservations over certain lands, and setting the same apart as a site for a teachers' training college for the City of Auckland

Whereas the land hereinafter described comprises portion of the recreation-ground reserve, and the whole of the gravel-pit reserve described in the Schedule to the Epsom and Mount Eden Reserve Act 1890, together with portion of a road reserve adjoining the said recreation-ground:

And whereas it is desirable to cancel the various reservations over the said land and to set the same apart as a site for a training college:

Be it therefore enacted as follows:

- (1) The various reservations as aforesaid over the land hereinafter described and the vesting of portions thereof in trustees by section 2 of the Epsom and Mount Eden Reserve Act 1890, are hereby cancelled, and the said land is hereby reserved and set apart as a site for a training college.

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

All that area in the North Auckland Land District, containing by admeasurement 31 acres 2 roods 32.5 perches, more or less, being Allotment 48 and parts of Allotments 46 and 49 of Section 6, Suburbs of Auckland, together with part of road reserve adjoining: bounded by a line commencing at the north-eastern corner of said Allotment 48, and proceeding thence south-westerly along the eastern boundary of said Allotment 48, south-easterly along the northern boundary of said Allotment 46 to Gillies Avenue; thence along the western side of that avenue and along the northern side of Domain Terrace, along the northern and western boundaries of Lot 5 on plan No 3660, deposited in the office of the District Land Registrar at Auckland, and the last-mentioned boundary produced to School Road; thence north-westerly along the abutment of that road and the northern boundary of Allotment 68 of aforesaid Section 6 for a distance of 1499.2 links; thence by right lines bearing $17^{\circ}11'$ distance 1182.5 links, bearing $13^{\circ}14'$ distance 332 links, bearing $350^{\circ}54'$ distance 420 links, to the Epsom Avenue; thence along the southern side of that avenue to the north-eastern corner of aforesaid Allotment 48, the point of commencement: be all the aforesaid bearings and distances a little more or less.

13 Section 3 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, amended

Whereas by section 3 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, Lot 1, Suburbs of Howick, in the North Auckland Land District, containing 3 acres and 34 perches, was declared to be reserved as a park, to be known as the Stockade Hill Public Park, and to be subject to the provisions of Part 2 of the Reserves Act 1977, under the control of the Howick Township Road Board:

And whereas the Howick Township Road District has been merged in the County of Manukau, and the Road Board thereof has been dissolved, and it is desirable that the control of the said park should be vested in a Domain Board to be appointed

from time to time under the provisions of Part 2 of the Public Reserves and Domains Act 1908:

Be it therefore enacted as follows:

Section 3 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, is hereby amended by omitting the words “under the control of the Howick Township Road Board.”

Section 13: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

14 Changing purpose of portion of Allotment 161, Parish of Waiuku East, from a recreation and Volunteer drill ground to a site for a hospital

Whereas by section 4 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, Sections 161, 162, 163, and 164, Parish of Waiuku East, in the North Auckland Land District, containing 78 acres 1 rood 16 perches, were declared to be vested in the Waiuku Town Board for the purposes provided by the Waiuku Recreation Reserve Act 1879:

And whereas it is desirable to set apart portion of the said Section 161 as a site for a hospital, and to vest the said portion in the Auckland Hospital Board:

Be it therefore enacted as follows:

- (1) The reservation for the purposes of a recreation-ground and Volunteer drill-ground over the land hereinafter described and the vesting of the said land in the Waiuku Town Board are hereby cancelled, and the said land is hereby declared to be reserved as a site for a hospital, and to be vested for that purpose in the Auckland Hospital Board.
- (2) The land to which the last preceding subsection relates is more particularly described as follows:

All that area in the North Auckland Land District, containing by admeasurement 3 acres 2 roods 30 and three-fifths perches, more or less, being portion of Allotment 161, Parish of Waiuku East, and bounded as follows: commencing at the south-easternmost corner of Allotment 161, Parish of Waiuku East; towards the south by Kitchener Road, 383.8 and 286.4 links; towards the west and north by other portion of said Allotment

161, Parish of Waiuku East, 530.8 and 662.2 links respectively; towards the east by a public road, 623 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 1/643, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

15 Closing road along Oratia Stream, North Auckland Land District, and authorizing disposal thereof

Whereas the road along the Oratia Stream, hereinafter described, is no longer required for the purpose for which it was intended, and it is desirable to close the same and to dispose of the land comprised therein under the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the hereinafter-described river-bank road is hereby closed, and the land comprised therein is hereby declared to be settlement land available for disposal under the Land Act 1948.
- (2) The road hereby closed is particularly described as follows:
All that area in the North Auckland Land District, containing by admeasurement 1 acre 2 roods, more or less, being portion of a road in Waari Hamlet, Block II, Titirangi Survey District: bounded towards the north-west by Section 91, Waari Hamlet, 84 links; towards the north-east by Section 90, Waari Hamlet, 1090.7 links; towards the south-east by Allotment 248A, Waikomiti Parish, 80 links; and towards the south-west generally by the Oratia Stream: be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 16/888, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 15: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

16 Validating certain expenditure of Thames Harbour Board in connection with a poll upon a proposal to borrow £275,000

Whereas the Thames Harbour Board (hereinafter referred to as the **Board**) in placing before the ratepayers of a proposed

harbour rating district a scheme for the improvement of the Thames Harbour, and a proposal for the borrowing, for the purposes of such harbour-improvement, of a sum of not more than 275,000 pounds, as provided by the Thames Harbour Board Loan and Empowering Act 1920, incurred expenditure for propaganda work amounting to 172 pounds 8 shillings and 7 pence, which it has paid:

And whereas there is no authority at law for such payment, and it is expedient to validate the same:

Be it therefore enacted as follows:

Notwithstanding anything contained in the Public Revenues Act 1910, or any other Act, the payment made as aforesaid by the Board is hereby validated, and the Board is hereby authorised to repay to its members any portion of such sum of 172 pounds 8 shillings and 7 pence as has been refunded by any members of the Board pursuant to a surcharge made by the Audit Office.

17 Cancellling reservation for purposes of Waikato-Thames railway over certain land, and vesting the same in Corporation of Thames Borough as a recreation-ground

Whereas by Proclamation dated 18 October 1882, and published in the *Gazette* of 26 October 1882, certain lands were taken in connection with the Waikato-Thames Railway:

And whereas it is desirable that an area of land should be set aside for the purposes of a public recreation-ground in the Borough of Thames:

And whereas a certain portion of the land comprised in the said Proclamation is suitable to be set aside for the purpose aforesaid:

And whereas such portion of the said land is not required for railway purposes:

Be it therefore enacted as follows:

- (1) The reservation for the purposes of the Waikato-Thames Railway over the land hereinafter described is hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Thames in trust for a public recreation-ground:

provided that the Minister of Railways, acting in the name and on behalf of His Majesty, may, at any time hereafter, resume for railway purposes the whole or any portion of such land upon payment to the Thames Borough Council of the sum (if any) actually expended by such Council in reclaiming the land so resumed, and no compensation shall be payable by the Crown in respect of the resumption of such land or any portion thereof, except as provided in this section.

- (2) The land vested as aforesaid is particularly described as follows:

All those 5 parcels of land in the Auckland Land District, containing in the aggregate an area of 35 acres 2 roods 16 and one-fifth perches, more or less, situated in Block IV, Thames Survey District, Borough of Thames, and being portions of railway reserve on the Waikato-Thames Railway: as the same are more particularly delineated on plan marked WR 29246 (SO 21536 blue), in the office of the Minister of Railways, at Wellington, and thereon bordered red.

18 Closing certain roads and vesting same, together with other lands, in His Majesty for purposes of Waihou and Ohinemuri Rivers Improvement Act 1910, and declaring a certain road to be a Government road

Whereas in connection with the improvement of the Waihou and Ohinemuri Rivers it is expedient to close the roads described in Schedule 3 and to vest the same in His Majesty, to vest the land described in Schedule 4 in His Majesty, and to declare the land described in Schedule 5 on which a stop-bank and road have been constructed to be a Government road:

Be it therefore enacted as follows:

- (1) The roads described in Schedule 3 are hereby closed, and the land comprised therein is hereby vested in His Majesty as if such roads were land taken by the Minister in accordance with the provisions of paragraph (b) of subsection (1) of section 10 of the Waihou and Ohinemuri Rivers Improvement Act 1910.
- (2) The land described in Schedule 4 is hereby taken and vested in His Majesty as if such land were taken by the Minister under

the provisions of paragraph (b) of subsection (1) of section 10 of the Waihou and Ohinemuri Rivers Improvement Act 1910.

- (3) The land described in Schedule 5 is hereby declared to be a Government road within the meaning of the Public Works Act 1981.
- (4) His Majesty shall pay such compensation in respect of the lands described in Schedule 4 as the claimants would be entitled to if the said lands had been taken by the Minister under the Waihou and Ohinemuri Rivers Improvement Act 1910.

Section 18(3): amended, on 1 February 1982, pursuant to section 248(1) of the Public Works Act 1981 (1981 No 35).

19 Extinguishing Native title to Ohinemuri No 6 Block, and validating disposal of such lands by the Crown

Whereas a memorial of ownership was ordered on 22 July 1880, by the Native Land Court to be issued in favour of certain Natives for the Ohinemuri No 6 Block, containing 200 acres, and situated in Blocks XIII and XIV, Ohinemuri Survey District, Ohinemuri County, Auckland Land District, and the same was duly issued and is registered in the Provisional Register, Volume 32, folio 91, in the Auckland District Land Registry:

And whereas the Crown has in error disposed of the said land in various parcels to Europeans as though it were Crown land, and it is necessary that such error should be rectified:

Be it therefore enacted as follows:

- (1) The said land shall be deemed to have been vested in the Crown as Crown land as from the date of the first disposition of any part of the said land by the Crown.
- (2) Compensation in respect of the vesting of the said land in the Crown shall be payable to the Natives named in the order of memorial, or to their successors in title, out of the moneys to be appropriated by Parliament for that purpose, and the amount of such compensation shall be ascertained by the Native Land Court in the manner provided by Part 4 of the Public Works Act 1908.

- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised to cancel the aforesaid certificate of title, Volume 32, folio 91.
- (4) All grants, rights, titles, or interests made, created, or issued in, on, and over the said land, and all transactions connected therewith as from the date of the first disposition of any part thereof by the Crown, are hereby validated and declared to be as valid and effectual as if the said land had been actually vested in the Crown at the time of such disposition, and such validation shall be deemed to have taken effect on and from the dates upon which the said grants, rights, titles, and interests were made, created, or issued.

20 Date of taking-effect of special order altering riding boundaries made by Matamata County Council

Whereas the Matamata County Council proceeded by way of special order (hereinafter referred to as the **said special order**) under the provisions of the Counties Act 1908, to alter the boundaries of ridings in the Matamata County and to adjust the representation of such ridings:

And whereas the said special order was gazetted on 14 October 1920, and, except for the purpose of adjusting representation, takes effect only from the close of the financial year ending 31 March 1922:

And whereas the said Council has kept separate riding accounts with respect to the ridings defined by the said special order from the close of the financial year ending 31 March 1921, and it is expedient to validate the said action:

Be it therefore enacted as follows:

Notwithstanding anything contained in the Counties Act 1920, the said special order is hereby deemed to have taken lawful effect on and from 1 April 1921, for the purpose of the keeping, by the Matamata County Council, of separate riding accounts in respect of the ridings defined in the said special order.

21 Cancellling reservation for purposes of public domain over parts of Block XIV, Town of Raglan, and authorizing disposal thereof

Whereas by notice in the *Gazette* of 26 July 1894, the lands hereinafter described were permanently reserved for recreation purposes:

And whereas by a notice in the *Gazette* of 23 September 1909, the said lands were declared to be a public domain subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908:

And whereas the said lands are unsuitable for the purpose for which they were reserved:

Be it therefore enacted as follows:

- (1) The reservation for the purposes of a public domain over the lands hereinafter described and the vesting of the control of the said lands in the Raglan Domain Board are hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1948.
- (2) The lands to which this section relates are particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 1 acre 1 rood 10 and three-fifths perches, more or less, being Lots 6, 8, and 9, Block XIV, Town of Raglan.

Section 21(1): amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

22 Authorizing Governor-General to declare certain unclaimed lands in Auckland Land District to be Crown land

- (1) The Governor-General may, by Proclamation, declare that the lands, or any portion of the lands, to which this section relates shall, as from a date to be specified in the said Proclamation, be deemed to be Crown lands available for disposal under the Land Act 1948, and every such Proclamation shall have effect according to its tenor:

provided that the Land Board may, in disposing of any lands acquired by the Crown under this section, give preference to

any person who may be in actual occupation of any of the said lands on the issue of the Proclamation.

- (2) If at any time within 5 years after the issue of a Proclamation under this section the original owner or his successor in title, or any other person having any estate or interest in any land to which the Proclamation relates, adduces satisfactory evidence of his title to or interest in that land, he shall be entitled to receive by way of compensation for his interest therein the amount of the unimproved value of the land as determined under the Valuation of Land Act 1951, as at the date of such Proclamation, together with the amount of the valuation, as determined in like manner, of any improvements existing upon the land at such date which have been effected by him or at his expense.
- (3) Before exercising the powers conferred on him by this section the Governor-General shall cause not less than 3 months' notice of his intention so to do to be given by advertisement published in the *Gazette* and in such newspaper or newspapers as he thinks fit.
- (4) This section relates to all land in respect of which Crown grants have heretofore been issued, but of which the original grantees or their registered successors in title have no duly appointed agent in New Zealand, or are not known or cannot be found, or in respect of which rates are not being paid by the registered owners, and which are situated in the townships of Alexandra East, Alexandra West, and Harapepe, or the parishes of Pirongia and Harapepe, in the Auckland Land District.

Section 22(1): amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

Section 22(2): amended, on 1 January 1952, pursuant to section 50(1) of the Valuation of Land Act 1951 (1951 No 19).

23 Changing purposes of reservation of certain lands in Borough of Hamilton

Whereas by a Proclamation under the Public Works Act 1905, dated 16 August 1907, part of Allotment 453A of the Town of Hamilton West was vested in the Mayor, Councillors, and

Burgesses of the Borough of Hamilton for the purposes of public saleyards:

And whereas by section 20 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1918, the vesting of all that part of the said Allotment 453A mentioned in that section in the Mayor, Councillors, and Burgesses of the Borough of Hamilton was cancelled, and such part of the said Allotment 453A was vested in the Education Board of the District of Auckland as a site for a technical school:

And whereas under and by virtue of the said Proclamation and the said section 20 all those parts of the said Allotment 453A mentioned in subsections (1), (2), (3), and (4) are now vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for the purposes of public saleyards, and all those parts of the said Allotment 453A mentioned and described in subsections (5) and (6) are now vested in the Education Board of the District of Auckland as a site for a technical school:

And whereas the lands mentioned and described in subsections (1), (2), (3), and (4) are no longer required for the purposes of public saleyards:

And whereas the land mentioned and described in subsection (7) is part of a public street for the stopping of which under the Municipal Corporations Act 1954, the Hamilton Borough Council has commenced proceedings:

And whereas it is desirable that the land mentioned in subsections (1), (2), (3), (4), (5), (6), and (7) should be vested in the manner and for the purposes hereinafter mentioned:

Be it therefore enacted as follows:—

- (1) The vesting of the land hereinafter in this subsection mentioned in the Mayor, Councillors, and Burgesses of the Borough of Hamilton is hereby cancelled, and the said land is hereby vested in the Education Board of the District of Auckland as a site for a technical school. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 2 roods 14 and ninety-seven hundredths perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by the part of the said Allotment

453A mentioned in subsection (2), 98.17 links; towards the south-west by the portion of Arawa Street mentioned in subsection (7), 550.64 links; towards the south-west by part of the said Allotment 453A of the Town of Hamilton West now vested in the Education Board of the District of Auckland, 117.55 links; and towards the north-west by the part of the said Allotment 453A mentioned in subsection (3), 550.31 links: as the same is delineated, coloured blue, on the plan mentioned in subsection (8).

- (2) The vesting of the land hereinafter in this subsection mentioned in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for the purposes of public saleyards is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton as a public street. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 31 and two-fifths perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by Anglesea Street, 391.86 links; towards the south-east by Anglesea Street, 50.03 links; towards the south-west by the parts of the said Allotment 453A mentioned in subsections (1), (2), (3), and (4), 393.62 links; and towards the north-west by Ward Street, 50 links: as the same is delineated, coloured yellow, and marked “A” on the plan mentioned in subsection (8).
- (3) The vesting of the land hereinafter in this subsection mentioned in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for the purposes of public saleyards is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton as a passage or right-of-way to give access to the adjoining lands. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 1 rood 4 perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by the part of the said Allotment 453A mentioned in subsection (2), 50 links; towards the south-east by the part of the said Allotment 453A mentioned in subsection (1), 550.31 links; towards the south-west by the

part of the said Allotment 453A mentioned in subsection (5), 50 links; and towards the north-west by the part of the said Allotment 453A mentioned in subsection (4), 550.31 links: as the same is delineated, coloured yellow, and marked “B” on the plan mentioned in subsection (8).

- (4) The vesting of the land hereinafter in this subsection mentioned in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for the purposes of public saleyards is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton as a municipal endowment. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 2 acres 1 rood 33 and nine-twentieths perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by the part of the said Allotment 453A mentioned in subsection (2), 245.45 links; towards the south-east by the part of the said Allotment 453A mentioned in subsection (3), 550.31 links; towards the south-west by the part of the said Allotment 453A mentioned in subsection (6), 32.45 links; again towards the south-east by the last-mentioned part of Allotment 453A, 500 links; again towards the south-west by Hinemoa Street, 230.60 links; and towards the north-west by Ward Street, 1050 links: as the same is delineated, coloured pink, and marked “C” on the plan mentioned in subsection (8).
- (5) The vesting of the land hereinafter in this subsection mentioned in the Education Board of the District of Auckland is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton as a passage or right-of-way to give access to the adjoining lands. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 39 and forty-nine fiftieths perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by the part of the said Allotment 453A mentioned in subsection (3), 50 links; towards the south-west by other part of the said Allotment 453A vested in the Education Board of the District of Auckland, 499.69

links; towards the south-west by Hinemoa Street, 50 links; towards the north-west by the part of the said Allotment 453A mentioned in subsection (6), 499.69 links: as the same is delineated, coloured yellow, and marked “D” on the plan mentioned in subsection (8).

- (6) The vesting of the land hereinafter in this subsection mentioned in the Education Board of the District of Auckland is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton as an endowment in aid of the borough funds. The land referred to in this subsection is all that piece of land in the Borough of Hamilton, containing by admeasurement 18 and nine-tenths perches, more or less, being part of Allotment 453A of the Town of Hamilton West: bounded towards the north-east by the part of the said Allotment 453A mentioned in subsection (4), 32.45 links; towards the south-east by the part of the said Allotment 453A mentioned in subsection (5), 499.69 links; towards the south-west by Hinemoa Street, 14.85 links; and towards the north-west by the part of the said Allotment 453A mentioned in subsection (4), 500 links: as the same is delineated, coloured pink, and marked “E” on the plan mentioned in subsection (8).
- (7) If and when the portion of the street in this subsection mentioned is hereafter stopped under the provisions of the Municipal Corporations Act 1954, then and in such case it shall be lawful for the Hamilton Borough Council to convey the part of the street so stopped to the Education Board of the District of Auckland as a site for a technical school without any payment or other consideration. The land referred to in this subsection is all that part of a street in the Borough of Hamilton known as Arawa Street, containing by admeasurement 2 roods 8 and one-tenth perches, more or less: bounded—commencing at the northern corner of Allotment 102 of the Town of Hamilton West—towards the south-east by the said allotment, 550.64 links; towards the south-west by a closed street, 100.06 links; towards the north-west by Allotment 453A, 550.64 links; and towards the north-east by Anglesea Street, 100.06 links, to the commencing-point: as the same is delineated, coloured green, on the plan mentioned in subsection (8).

- (8) All the pieces of land mentioned in subsections (1) to (7) are delineated on a plan marked L and S 6/6/202, deposited in the Head Office, Department of Lands and Survey, at Wellington, and are thereon coloured and marked as in the said several subsections mentioned.

Section 23: amended, on 1 April 1955, pursuant to section 413 of the Municipal Corporations Act 1954 (1954 No 76).

24 Authorizing extension of limit of area of Leamington Town District

Notwithstanding anything in the Town Boards Act 1908, limiting the area of a town district to 2 square miles, the Governor-General may, by Proclamation, enlarge the boundaries of the Leamington Town District, but so that the said town district shall not exceed an area of 3 square miles.

25 Authorizing erection of certain buildings on Cambridge Domain

Whereas it is desirable that the Cambridge Domain Board should be empowered to erect buildings on the Cambridge Domain, called or known as the **Te Koutu Lake Recreation Reserve**, and so shown on the public map of the Town of Cambridge East, for use as a residence for the caretaker of the said domain:

Be it therefore enacted as follows:

- (1) The Cambridge Domain Board may, with the consent of the Minister of Lands, erect on the said domain, on such site as may be approved by the Minister of Lands, buildings for the use and accommodation of the caretaker of the Cambridge Domain.
- (2) For such purpose the Board may expend moneys, not exceeding 750 pounds, out of its income or accumulated funds or borrow moneys by way of overdraft from its bankers or otherwise, as it may think fit, and the Board may, for such latter purpose, mortgage or charge the rents and revenues of the Board derivable as well from its endowments as from other sources.
- (3) No mortgagee or encumbrancer shall be concerned or required to see to the application by the Board of any of the moneys raised by it under this section.

26 Authorizing Tauranga County Council to transfer certain land to Tauranga Harbour Board

- (1) The Corporation of the County of Tauranga may transfer to the Tauranga Harbour Board, without consideration, all that parcel of land, containing 20 perches, more or less, being part of Allotment 44, Parish of Tahawai, County of Tauranga, shown on Deposited Plan 4242, and being all the land described in certificate of title, Volume 149, folio 270, Auckland Registry:
- (2) No gift duty or stamp duty shall be payable in respect of such transfer.

27 Saving jurisdiction of Kaituna River Board

Nothing in subsection (2) of section 73 of the River Boards Act 1908, shall be so construed as to deprive the Kaituna River Board of jurisdiction over any part of the Kaituna River District.

28 Certain land in Auckland Land District declared to be part of national endowment

- (1) Notwithstanding anything to the contrary contained in section 258 of the Land Act 1908, or section 11 of the Land Laws Amendment Act 1920, the land hereinafter described is hereby declared to be part of the national endowment.
- (2) The capital value of the said land shall be fixed by the Minister of Lands, and shall be paid to the credit of the Land for Settlements Account out of the National Endowment Account without further appropriation than this section.
- (3) The land to which this section relates is hereby particularly described as follows:

All that area in the Auckland Land District, containing 17 acres 2 roods 3 perches, more or less, being part of Section 10, Tahunaroa No 2 Block, shown on Plan 12648, deposited in the Office of the District Land Registrar at Auckland: bounded towards the north-east by part of Section 10 shown on Plan 12648 deposited in the office of the District Land Registrar at Auckland, 260.3, 1330, 573.6, 339.9, and 879.3 links; towards the south by Section 6, Block VI, Waihi South Survey District, 3167.5 links; and towards the west by Section 9, shown on

Plan 8636, deposited in the office of the District Land Registrar, at Auckland, 969.6 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 16/664, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

29 Authorizing issue to Roman Catholic Bishop of Auckland of title to certain land at Rotorua

Whereas upon the negotiation for the acquisition from the Native owners of the area known as the Pukeroa Hill, at Rotorua, it was agreed on behalf of the Crown to grant to the Roman Catholic Church a site for the erection of a church in lieu of the area upon the hill given to the said Church by the said Native owners for such purpose:

And whereas a site as agreed upon and hereinafter described was duly provided and a church has been erected thereon, but no title to the site has been issued, and it is desirable to authorise the issue of a title thereto:

Be it therefore enacted as follows:

- (1) The Governor-General may by Warrant under his hand authorise the District Land Registrar for the Land Registration District of Auckland to issue to the Roman Catholic Bishop of Auckland and his successors for ever, in perpetual succession as a corporation sole, a certificate of title in respect of the land hereinafter described, to be held in trust for the purposes of the said Church, with power to sell and dispose of the said land by public auction or private contract; to raise money by way of mortgage on the security of the said land; to exchange the said land for any other land within the Roman Catholic Diocese of Auckland; and to demise and lease the said land for any period not exceeding 66 years upon such terms as the Bishop may determine, and to accept the surrender of any lease granted by him.
- (2) The area to which the last preceding subsection relates is particularly described as follows:

All that area in the Auckland Land District, being Block LXXII of the Town of Rotorua, containing by admeasurement 1 rood 31 perches, more or less: bounded towards the

north-west by the Native Village of Ohinemutu, 212.8 links; towards the north-east and south-west by the Main Parade, 214.1 and 215.6 links; towards the south-west by the Main Road, 215.9 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 22/2849, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

30 Changing purpose of Section 5, Block V, Town of Rotorua, from a public domain to a site for a drill-shed

Whereas by an Order in Council published in the *Gazette* of 1 February 1906, the portion of the Rotorua Domain (hereinafter described) was declared to be subject to the provisions of the Reserves Act 1977:

And whereas by an Order in Council published in the *Gazette* of 22 December 1909, the said land was declared to be subject to the provisions of the Tourist and Health Resorts Control Act 1908:

And whereas by an Order in Council published in the *Gazette* of 3 February 1910, the control of the said land was vested in the Minister having the administration of the last-mentioned Act:

And whereas by a Warrant published in the *Gazette* of 28 July 1921, the purpose of the reservation over Sections 2 and 4, Block V, Town of Rotorua, containing an area of 2 roods, was changed from a site for a drill-shed to a public recreation-ground, and it is desired to set apart that part of the said domain hereinafter described as a site for a drill-shed in lieu of the aforesaid Sections 2 and 4:

Be it therefore enacted as follows:

- (1) The reservation for the purpose of a public domain over the land hereinafter described and the vesting of the control of the said land in the Minister for the time being charged with the administration of the Tourist and Health Resorts Control Act 1908, are hereby cancelled, and the said land is hereby reserved as a site for a drill-shed.
- (2) The land to which the preceding subsection relates is particularly described as follows:

All that area in the Auckland Land District, being Section 5, Block V, Town of Rotorua, containing by admeasurement 2 roods 5 perches, more or less: bounded on the west, north, and east by the domain, and on the south by Whakaue Street: as the same is more particularly delineated on plan numbered 22/2700, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Section 30: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

31 Authorizing license as a site for a tramway over Rotoiti Scenic Reserve, in Auckland Land District

Whereas it is desirable to grant to the Rotoiti Timber Company (Limited) a license as a site for a tramway over portion of the Rotoiti Scenic Reserve, situated in Block IX, Rotoma Survey District, in the Auckland Land District:

And whereas there is no power to grant a license as a site for a tramway over any portion of the said reserve:

Be it therefore enacted as follows:

The Auckland Land Board may issue to the Rotoiti Timber Company (Limited) a license to occupy a portion of the reserve hereinbefore referred to as a site for a tramway in the same manner, and subject to the same terms and conditions, as if the said license were a license issued under section 307 of the Land Act 1908.

32 Vesting Section 13, Block X, Otanake Survey District, in Waitomo County Council

Whereas the Waitomo County Council has completed the purchase of the land hereinafter described:

And whereas it is desirable to vest the said land in the said Council:

Be it therefore enacted as follows:

- (1) The land hereinafter described is hereby vested in the Corporation of the County of Waitomo, and the District Land Registrar of the Land Registration District of Auckland is hereby empowered and directed, subject to a Warrant in that behalf

under the hand of the Governor-General, to issue to the said Corporation a certificate of title in respect of the said land.

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

All that area in the Auckland Land District, containing by ad-measurement 12 acres 2 roods 26 perches, more or less, being Section 13 of Block X, Otanake Survey District: bounded towards the north-east by a public road, 1876.4 links; towards the south-east by a road along the Mokau River, 125.3, 342.8, 473.2, 261.1, and 367.3 links; towards the south-west by Karu-o-te-Whenua Block No 1C, Section 1, 1354.4 links; towards the north-west by the Te Kuiti-Awakino Road, 403 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 5527, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

33 Cancelling reservation over part of Ongarue Domain in the Auckland Land District

Whereas by an Order in Council published in the *Gazette* of 18 September 1913, the recreation reserve hereinafter described was declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, as part of the Ongarue Domain, the control of which is vested in the Ongarue Domain Board:

And whereas the said land is unsuitable for the purpose for which it was reserved:

Be it therefore enacted as follows:

- (1) The reservation for recreation purposes over the land hereinafter described and the vesting of the control of the said land in the Ongarue Domain Board are hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Auckland Land District, containing by ad-measurement 77 acres 2 roods, more or less, being Section 3, Block I, Tuhua Survey District.

Section 33(1): amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

34 Closing portion of Ormond Road in the Borough of Gisborne, and declaring certain lands to form part of the said road and of Fitzherbert street

Whereas by a Proclamation in the *Gazette* of 15 February 1883, a road known as the Ormond Road was taken for a width of 100 links through the Whataupoko Block in Block I, Waimata Survey District, in the Hawke's Bay Land District: And whereas plans were subsequently deposited in the Land Transfer Office at Gisborne on which were shown a road known as Fitzherbert Street and a part of the said Ormond Road as widened to a width of 150 links, and part of the said Ormond Road as closed:

And whereas parts of the said Fitzherbert Street and parts of the Ormond Road widened as aforesaid have not been dedicated to the public, and the part of the said Ormond Road shown as closed has not been closed:

And whereas titles to several lots in the subdivision of Whataupoko No 6 Block have been issued which wrongfully include portions of the said Ormond Road hereinbefore referred to shown as closed:

And whereas it is expedient that the part of the said Ormond Road shown on the hereinbefore-mentioned plan as closed should be closed and included in the several lots through which it passes, and that those parts of Ormond Road and Fitzherbert Street not dedicated to the public should be so dedicated:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary contained in the Municipal Corporation Act 1954, or in any other Act, those portions of the Ormond Road described in subsection (4) are hereby closed and wholly stopped, and shall be deemed to form part of Whataupoko No 6 Block, and any part of such stopped road passing through any lot shall be deemed to be included in such lot.
- (2) Those portions of the said Ormond Road added to the said road when widened to a width of 150 links as aforesaid, and

of Fitzherbert Street, as the same are described in subsection (5), are hereby declared to have been dedicated to the public as from the date when they were laid off.

- (3) The District Land Registrar for the Land Registration District of Poverty Bay is hereby authorised and directed to issue clear titles to any lots or sections of land through which passes any part of the said Ormond Road hereby closed.

- (4) Those portions of the said Ormond Road declared to be closed by subsection (1) are particularly described as follows:

All those portions of road in the Land District of Hawke's Bay, containing 1 rood 38 perches, and 12 perches and seventeen hundredths of a perch, more or less, parts Whataupoko No 6 Block, in the Borough of Gisborne, delineated on plan marked L and S 16/934, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

- (5) Those portions of the said Ormond Road and of Fitzherbert Street declared to be dedicated by subsection (2) are particularly described as follows:

All that area of land in the Hawke's Bay Land District, containing 6 acres 1 rood 21 perches, more or less, being parts of the street known as Fitzherbert Street, situated between the Taraheru River and Ormond Road, and Ormond Road and the Waimata River, and portions of Ormond Road between Fitzherbert Street and the Gisborne Borough boundary, being portions of the Whataupoko No 6 Block, in the Borough of Gisborne, delineated on plan marked L and S 16/934, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

Section 34(1): amended, on 1 April 1955, pursuant to section 413 of the Municipal Corporations Act 1954 (1954 No 76).

35 Empowering Gisborne Harbour Board to make by-laws for preservation of foreshore and control of bathing

Whereas it is desirable to empower the Gisborne Harbour Board (hereinafter called the **Board**) to make such by-laws as are necessary for the preservation and control of the foreshore vested in the Board, and for the proper conduct and clothing of persons bathing on or in the vicinity of such foreshore:

Be it therefore enacted as follows:

- (1) The Board may make such by-laws as are necessary for the preservation and control of the foreshore vested in it and for the proper conduct and clothing of persons bathing on or in the vicinity of such foreshore.
- (2) The Board may, subject to the provisions of section 150 of the Harbours Act 1908, erect or license or permit the erection or continuance of baths and bathhouses on such foreshore, and may make by-laws regulating the use thereof and fixing the charges for such use.
- (3) By-laws made under this section shall not have effect unless and until approved in writing by the Minister of Marine.

36 Effecting exchange of land acquired under Land Act 1948, for land forming part of primary-education endowment

Whereas the land described in subsection (4) has been acquired under the Land Act 1948:

And whereas the lands described in subsection (5) are part of a primary-education endowment vested in the Crown in accordance with section 2 of the Education Reserves Amendment Act 1910:

And whereas it is desired to carry out an exchange affecting the said lands as hereinafter appears:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby reserved as an endowment for primary education.
- (2) The reservation over the lands described in subsection (5) is hereby cancelled, and the said lands are hereby declared to be subject to the provisions of the Land Act 1948.
- (3) This section shall be deemed to have come into operation on 1 June 1920.
- (4) The land hereby reserved as an endowment for primary education is particularly described as follows:

All that area in the Hawke's Bay Land District, containing by admeasurement a total of 61 acres 3 roods 23 perches, more or less, being Lots 1, 5, 7, and 8 of the Ardkeen Settlement: as the same are delineated on the plan marked L and S 21/172C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

- (5) The land hereby declared to be subject to the provisions of the Land Act 1948, is particularly described as follows:

All that area in the Hawke's Bay Land District, containing by admeasurement 61 acres 3 roods 23 perches, more or less, being Lots 2, 3, 4, 6, and 9 of Education Reserve No 245, Block 28, Taramarama; as the same are delineated on the plan marked L and S 21/172C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 36: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

Section 36(5): amended, on 25 October 1930, by section 3 of the Reserves and Other Lands Disposal Act 1930 (1930 No 24).

37 Authorizing Wairoa Harbour Board to borrow £10,000

[Repealed]

Section 37: repealed, on 1 October 1946, by section 18(1) of the Wairoa Harbour Act 1946 (1946 No 11 (L)).

38 Vesting Section 1, Block V, Clyde Survey District, in Wairoa Harbour Board in trust for a pilot-station

[Repealed]

Section 38: repealed, on 1 October 1946, by section 18(1) of the Wairoa Harbour Act 1946 (1946 No 11 (L)).

39 Changing purpose of certain land vested in Wairoa Harbour Board from a quarry reserve to endowment for harbour purposes

[Repealed]

Section 39: repealed, on 1 October 1946, by section 18(1) of the Wairoa Harbour Act 1946 (1946 No 11 (L)).

40 Cancelling reservation for growth and preservation of timber over certain land in Hawke's Bay Land District, and declaring the same to be Native customary land

[Repealed]

Section 40: repealed, on 1 January 1932, by section 558 of the Native Land Act 1931 (1931 No 31).

**41 Vesting Section 1, Block XI, Paritutu Survey District,
in Taranaki County Council for purposes of Taranaki
County Reserves Act 1877**

[Repealed]

Section 41: repealed, on 9 August 1966, by section 6(b) of the Taranaki County Reserves Act 1966 (1966 No 2 (L)).

**42 Vesting in Taranaki Hospital Board, as a site for a
hospital, certain land in Opunake Town**

Whereas by a Warrant published in the *Gazette* of 13 January 1921, the purpose for which the reserve hereinafter described was set apart was changed to a site for a public hospital:

And whereas it is desirable to vest the said reserve in the Taranaki Hospital Board:

Be it therefore enacted as follows:

- (1) The reserve described in subsection (2) is hereby vested in the Taranaki Hospital Board in trust as a site for a public hospital.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Taranaki Land District, containing by ad-measurement 1 acre, more or less, being Sections 1, 2, 3, and 4, Block XI, Opunake Town.

**43 Authorizing Ohawe Domain Board to expend money in
providing a water-supply for certain purposes**

Notwithstanding anything to the contrary in section 37 of the Public Reserves and Domains Act 1908, it shall be lawful for the Ohawe Domain Board to expend out of its revenue an amount not exceeding 50 pounds for the purpose of providing a supply of water by pipe from a well on the Ohawe Domain to the beach and to the bathing-sheds in the vicinity of the said domain.

**44 Section 145 of Municipal Corporations Act 1920, to apply
to alterations of boundaries of Manaia Town District**

The provisions of section 145 of the Municipal Corporations Act 1920, shall, with the necessary modifications, apply with respect to any alteration of the boundaries of the Manaia Town

District made pursuant to the provisions of the Town Boards Act 1908, in all respects as if the said district was a borough.

45 Authorizing exchange of portion of scenic reserve in Wellington Land District for private land

Whereas by a Proclamation in the *Gazette* of 2 November 1916, portion of Waimarino CD, No 3G, Block I, Owatua Survey District, in the Wellington Land District, containing 34 acres 2 roods 20 perches, more or less, was taken for scenic purposes under the Public Works Act 1981, and the Reserves Act 1977:

And whereas it is desirable to exchange that portion of the said land described in subsection (3) for the area of private land described in subsection (4):

Be it therefore enacted as follows:

- (1) The Governor-General may, by Proclamation, revoke the reservation for scenic purposes over the land described in subsection (3), and declare the said land to be no longer subject to the provisions of the Reserves Act 1977, and upon the conveyance or transfer to His Majesty of the private land described in subsection (4) may, by Warrant under his hand, authorise the issue of a certificate of title to the owner of such private land in respect of the land over which the reservation has been revoked in pursuance of this section.
- (2) The land transferred or conveyed to His Majesty under the authority of this section shall be declared by Proclamation to be reserved for scenic purposes and to be subject to the provisions of the Reserves Act 1977.
- (3) The land to which subsection (1) relates is particularly described as follows:

All that area, containing by admeasurement 17 acres 3 roods, more or less, being portion of Waimarino CD, No 3G, situated in Block I, Owatua Survey District: as the same is delineated on a plan marked L and S 4/4A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.
- (4) The land to which subsection (2) relates is particularly described as follows:

All that area, containing by admeasurement 21 acres and 1 rood, more or less, being portion of Waimarino CD, Nos 3F and 3G, situated in Block I, Owatua Survey District: as the same is delineated on a plan marked L and S 4/4B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

Section 45: amended, on 1 February 1982, pursuant to section 248(1) of the Public Works Act 1981 (1981 No 35).

Section 45: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

46 Authorizing license as a site for a tramway over portion of Whakapapa Gorge Scenic Reserve in Wellington Land District

Whereas it is desirable to grant to the Egmont Box Company (Limited) a license as a site for a tramway over portion of the Whakapapa Gorge Scenic Reserve, situated in Block X, Hunua Survey District, in the Wellington Land District:

And whereas there is no power to grant a license as a site for a tramway over any portion of the said reserve:

Be it therefore enacted as follows:

The Wellington Land Board may issue to the Egmont Box Company (Limited) a license to occupy a portion of the reserve hereinbefore referred to as a site for a tramway in the same manner and subject to the same terms and conditions as if the said license were a license issued under section 307 of the Land Act 1908.

47 Authorizing Taihape Borough Council to expend surplus loan-moneys in extending its electrical-lighting system

Whereas the Taihape Borough Council, for the purpose of constructing certain works, including electrical works, duly raised a loan of 21,250 pounds, and also a supplementary loan of 1,000 pounds, on the security of a rate over the special-rating district for that purpose created:

And whereas, after the completion of the said works, the Council has a surplus unexpended of the said loan-moneys amounting to 360 pounds 4 shillings, and it is desirable that power should be given enabling the said Council to expend the said

surplus in the construction of electrical works outside the said special-rating district:

Be it therefore enacted as follows:

The Taihape Borough Council is hereby authorised to expend the whole or any part of the sum of 360 pounds 4 shillings, being the unexpended surplus of its loans of 21,250 pounds and 1,000 pounds aforesaid, in extending the Council's electrical lighting system beyond the limits of the special-rating district created in respect of the said loans.

48 Authorizing Taihape Borough Council to cancel certain debentures in respect of a loan of £3,500, to issue fresh debentures, and to increase rate of interest

Whereas the Taihape Borough Council by a poll of ratepayers duly taken on 21 February 1916, was authorised to raise a special loan of 3,500 pounds at a rate not exceeding 5 and a quarter per centum per annum for the purpose of procuring and supplying a supplementary plant for the said Council's water-and electrical-supply scheme:

And whereas the security for payment of interest and sinking fund on such loan is a proportion of the said Council's revenue from electric lighting:

And whereas, in pursuance of such authority, the said Council on 22 November 1916, issued a set of 35 debentures of 100 pounds each, payable on 1 October 1952, carrying interest at the said rate of 5 and a quarter per centum per annum, payable half-yearly on the first day of the months of April and October in each year:

And whereas, pending the raising of the said loan, the said Council borrowed the said sum of 3,500 pounds pursuant to the provisions of section 30 of the Local Bodies Loans Act 1913, and the said debentures were hypothecated to the Bank of New Zealand by way of security pending the raising of the said loan:

And whereas it has been found that the rate of interest carried by the said debentures and the security provided for the said loan are such that the said debentures cannot be sold except at a discount and a consequent loss to the said Council:

And whereas it is desirable that a higher rate of interest and a more substantial security should be provided:

Be it therefore enacted as follows:

- (1) The Taihape Borough Council is hereby empowered to pay, in respect of the said loan of 3,500 pounds, a rate of interest not exceeding 6 per centum per annum.
- (2) It shall be lawful for the said Council to issue in respect of the said loan of 3,500 pounds a fresh set of 35 debentures of 100 pounds each, maturing on the said 1 October 1952, with interest coupons bearing interest at a rate not exceeding 6 per centum per annum, payable half-yearly on the first day of the months of April and October in each year.
- (3) On the issue of such fresh set of debentures and interest coupons the Council shall destroy the existing set of debentures and interest coupons in respect of its said special loan of 3,500 pounds.
- (4) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Council may, in lieu of the security authorised as aforesaid, make and levy as security for the said loan a special rate upon all rateable property within the Taihape Water-supply and Electric Lighting Special-rating District.
- (5) The provisions of section 20 of the Local Bodies Loans Act 1913, shall apply to such special rate.

49 Authorizing acquisition of fee-simple of certain lands in Horopito West Village Settlement and Town of Horopito West

- (1) The owner of any renewable lease heretofore granted in respect of Crown lands within the Horopito West Village Settlement which still remain set apart as a village settlement under Proclamation dated 15 September 1908, and published in the *Gazette* of 17 September 1908, or the owner of any renewable lease heretofore granted in respect of Crown lands within the Town of Horopito West as defined by Warrant dated 15 September 1908, and published in the *Gazette* of 22 October 1908, may at any time during the currency of his lease acquire the fee-simple of the land comprised therein in the same manner

in all respects and upon the same terms and subject to the same conditions as if the said land were settlement land held under renewable lease.

- (2) All the provisions of Part 4 of the Land Laws Amendment Act 1912, as amended by the Land Laws Amendment Act 1913 (relating to the acquisition of the fee-simple of settlement lands held under renewable lease), shall, with the necessary modifications, apply to the acquisition of the fee-simple pursuant to this section.

50 Authorizing Kairanga County Council to sell Section 1479, Block V, Kairanga Survey District

Whereas by an Order in Council published in the *Gazette* of 1 November 1894, Section 1479, Block V, Kairanga Survey District, in the Land District of Wellington, containing an area of 17 acres 3 roods 10 perches, was vested in the inhabitants of the Manawatu Road District in trust for a gravel-pit:

And whereas by section 3 of the Kairanga County Act 1901, the said Manawatu Road District was abolished, and the County of Kairanga was constituted in lieu thereof:

And whereas the said section is no longer required for the purpose for which it was reserved, and it is desirable to authorise the Kairanga County Council to sell it:

Be it therefore enacted as follows:

- (1) The Kairanga County Council is hereby authorised to sell by public auction, either in lots or as a whole, the said Section 1479 at such price or prices, and subject to such conditions as to payment, as it thinks fit, and to convey and assure the same to a purchaser or purchasers.
- (2) The proceeds from such sale shall be applied towards the purchase of other land as a site for a roadman's cottage and towards the erection of such cottage.

51 Extending powers of leasing of Foxton Harbour Board
[Repealed]

Section 51: repealed, on 25 October 1956, by section 21(11)(d) of the Reserves and Other Lands Disposal Act 1956 (1956 No 53).

52 Cancelling reservation over mental hospitals endowment in City of Wellington, and authorizing disposal thereof

- (1) The reservation over the land described in Schedule 3 to the Mental Hospitals Reserves Act 1908, as an endowment for the establishment and maintenance of mental hospitals is hereby cancelled.
- (2) The Governor-General may dispose of the said land by way of sale to the Wellington Hospital Board on such terms and conditions as he thinks fit, but subject to any lease or leases of any part or parts of the said land subsisting at the time of such disposal.

53 Additional powers of leasing, etc, of rifle ranges and drill-sheds*[Repealed]*

Section 53: repealed, on 1 April 1972, by section 89(2) of the Defence Act 1971 (1971 No 52).

54 Amendments of Kaitangata Relief Fund Transfer Acts

- (1) In this section—

principal Act means the Kaitangata Relief Fund Transfer Act 1892

amendment Act means the Kaitangata Relief Fund Transfer Act 1892 Amendment Act 1894.

- (2) The Board constituted pursuant to section 2 of the principal Act is hereby dissolved, and the said section is hereby repealed.
- (3) Section 6 of the principal Act is hereby amended by omitting the word “Board,” and substituting the words “Minister of Mines.”
- (4) Section 7 of the principal Act is hereby repealed, and the following substituted therefor:

“7

- “(1) The moneys in the Coal-mining Accident Fund not required for the purposes of the Kaitangata Relief Fund may be applied for the relief of the widows, orphans, and dependants of miners who may have heretofore lost or may hereafter lose their lives in coal-mining accidents in any part of New Zealand.

- “(2) Payments under this section shall be made by the Public Trustee at the direction of the Minister of Mines, who shall cause such inquiry as he thinks fit to be made in any case before directing any such payment.”
- (5) The Amendment Act is hereby amended as follows:
- (a) by omitting from section 2 thereof the words “The Board constituted by the Kaitangata Relief Fund Transfer Act 1892,” and substituting the words “The Minister of Mines”; and by omitting the word “it” wherever that word occurs in that section, and substituting the word “he”;
 - (b) by repealing section 3 thereof;
 - (c) by omitting from section 4 thereof all words after the word “incurred,” and substituting the words “in respect of the administration of the funds.”

55 Making retrospective regulations under Electric-power Boards Act 1918, as to remuneration and travelling-expenses of members of Boards

Whereas it is provided by section 34 of the Electric-power Boards Act 1918, that a Board may out of its funds pay to members such reasonable remuneration for their services and travelling-expenses as may be prescribed:

And whereas regulations as to the remuneration of members of Electric-power Boards were made under the Electric-power Boards Act 1918, on 4 July 1921:

And whereas the first Power Board constituted under the Electric-power Boards Act 1918, was elected on 20 December 1919, and it is found that there is no power to make such regulations retrospective.

Be it therefore enacted as follows:

Any Electric-power Board the first members of which were elected prior to 4 July 1921, may, in respect of the period between the election of such members and the said 4 July, pay out of its funds to members of the Board remuneration for their services in accordance with the regulations of 4 July 1921, and reasonable travelling-expenses in so far as such services were

rendered or expenses incurred in accordance with resolutions of the Board.

56 Authorizing issue to Roman Catholic Archbishop of Wellington of certificate of title in respect of land in Block VII, Waimea Survey District

Whereas by a conveyance dated 16 February 1910, and registered in the Deeds Registry Office at Nelson as No 36571, the land hereinafter described was donated to the Crown by the Archbishop of the Roman Catholic Archdiocese of Wellington and another as a site for a post-office:

And whereas the said land is not now required for that purpose, and it is desired to reconvey the said land to the said Archbishop:

Be it therefore enacted as follows:

- (1) The Governor-General may, by Warrant under his hand, authorise the issue to the Archbishop of the Roman Catholic Archdiocese of Wellington of a certificate of title in fee-simple in respect of the land hereinafter described in trust for the purposes of the Roman Catholic Orphanage in the City of Nelson, with power for the said Archbishop to sell or dispose of that land, and to apply the proceeds of such sale or disposal, in such manner as the said Archbishop thinks fit, for the benefit of the said orphanage.
- (2) The land to which this section relates is particularly described as follows:

All that portion of land in the Nelson Land District, containing by admeasurement 1 rood 38 perches, more or less, and being a portion of Section 53 of the Suburban South Original District, and situated within Block VII of the Waimea Survey District: bounded towards the north-west by the main road from Nelson to Richmond, 100 links; towards the north-east by the Stoke State School site, 500 links; towards the south-east by other part of before-mentioned Section 53, 100 links; and towards the south-west by Lot 5 of Land Transfer Plan 310, and by part of the before-mentioned main road from Nelson to Richmond, 500 links.

57 Changing purpose of reservation over parts of Reserve D, Town of Picton

Whereas by Proclamation in the *Marlborough Gazette* of 4 October 1861, the land known as Reserve D, Town of Picton, was reserved with other lands for various purposes of public utility:

And whereas by Crown grant dated 15 June 1863, the said land was granted to the Superintendent of Marlborough to hold the same in trust for purposes of public utility in connection with the improvement of the Harbour of Picton:

And whereas by the Abolition of Provinces Act 1875, the said land became vested in the Crown for the same purposes, and it is deemed expedient to change the purpose of the reservation over those parts of the said land hereinafter described:

Be it therefore enacted as follows:

- (1) The reservation for the purposes of public utility in connection with the improvement of the Harbour of Picton over the land described in subsection (3) is hereby cancelled, and the said land is hereby reserved as a site for post and telegraph purposes.
- (2) The reservation for the purposes of public utility in connection with the improvement of the Harbour of Picton over the land described in subsection (4) is hereby cancelled, and the said land is hereby reserved for municipal purposes and vested in the Corporation of the Borough of Picton.
- (3) The land to which subsection (1) relates is more particularly described as follows:

All that parcel of land in the Marlborough Land District, containing by admeasurement 34 and four-fifths perches, more or less, being a portion of Reserve D, Town of Picton, and now known as Section 1173 of that town: bounded toward the north by part of Reserve D, Town of Picton, 79.4 links; towards the north-east by railway land, 3.7 and 27.9 links; towards the east by Section 1172, Town of Picton, 208.4 links; towards the south by Lot 1 of Section 1160, Town of Picton, 90 links; and towards the west by Wellington Street, 167.5 links, and railway land, 71.1 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S

6/3/159A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- (4) The land to which subsection (2) relates is more particularly described as follows:

All that parcel of land in the Marlborough Land District, containing an area of 3 and three-tenths perches, more or less, being a portion of Reserve D, Town of Picton, and now known as Section 1174 of that town: bounded towards the west, north, north-east, and east by railway land, 28.7 links, 54.5 links, 31 links, and 12.4 links respectively; and towards the south by part of Reserve D (Section 1173), 79.4 links: be all the afore-said linkages more or less: as the same is delineated on the plan marked 6/3/159B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

58 Authorizing Omaka Road Board to raise a loan to pay off overdraft

The Omaka Road Board may, by special order and without taking the steps described in sections 8 to 12 of the Local Bodies Loans Act 1913, borrow by way of special loan under that Act a sum not exceeding 1,000 pounds and apply the same towards the reduction of the said Board's bank overdraft.

59 Authorizing Cobden Town Board to raise a loan to discharge its liabilities under a certain award

The Cobden Town Board may, by special order and without taking the steps described in sections 8 to 12 of the Local Bodies Loans Act 1913, borrow by way of special loan under that Act a sum sufficient for the purpose of discharging its liabilities under an award dated 9 February 1921, made by the Controller and Auditor-General, as the person appointed by Warrant under the hand of the Governor-General, dated 2 November 1920, to hold an inquiry and make an award as to the several matters mentioned in section 11 of the Town Boards Act 1908, as between the Board of the Cobden Town District and the Council of the Grey County.

**60 Authorizing issue of license as a site for a tramway over
Scenic Reserve 1056 and Timber Reserve 208 in Westland
Land District**

Whereas it is desirable to grant to the Midland Sawmilling Company (Limited) a license as a site for a tramway over small portions of Scenic Reserve 1056 and Timber Reserve 208, situated in Block XII, Mahinapua Survey District, in the Westland Land District:

And whereas there is no power to grant a license as a site for a tramway over any portion of the said reserves:

Be it therefore enacted as follows:

The Westland Land Board may issue to the Midland Sawmilling Company (Limited) a license over portions of the reserves hereinbefore referred to as a site for a tramway in the same manner and subject to the same terms and conditions as if the said license were a license issued under section 307 of the Land Act 1908.

**61 Changing purpose of reservation over certain land in
Westland Land District from reserve for wood-pulp
industry to provisional State forest**

Whereas by Warrant published in the *Gazette* of 13 February 1908, pursuant to section 72 of the Land Laws Amendment Act 1907, an area of 50 000 acres, as described in such Warrant, was set apart as a reserve for purposes of the wood-pulp industry:

And whereas by a Warrant published in the *Gazette* of 25 May 1916, pursuant to section 141 of the Land Act 1908, the boundaries of the area of 50 000 acres so set apart were altered in the manner described in such Warrant:

And whereas it is desirable to cancel the existing reservation over the said area of 50 000 acres, and to set apart the said area as a provisional State forest:

Be it therefore enacted as follows:

The reservation for purposes of the wood-pulp industry over the land as set apart by the Warrants hereinbefore mentioned is hereby cancelled, and the said land is hereby set apart as

a provisional State forest under and for the purposes of the Forests Act 1949.

Section 61: amended, on 1 January 1950, pursuant to section 73(1) of the Forests Act 1949 (1949 No 19).

62 Authorizing issue to Hurunui Rabbit Trustees of certificate of title in respect of Section 52, Spotswood Village

In consideration of the payment by the Hurunui Rabbit Trustees of the sum of 150 pounds the Governor-General may, by Warrant under his hand, authorise the issue of a certificate of title to the said Trustees in respect of Section 52, Spotswood Village, in the Cheviot Estate, Canterbury Land District, containing an area of 4 acres 3 roods 11.5 perches, more or less.

63 Woolston Fire Board dissolved, and assets and liabilities vested in Christchurch Fire Board

Whereas by Proclamation dated 26 October 1921, and gazetted on the 27th day of the same month, made under the Municipal Corporations Act 1920, the City of Christchurch and the Borough of Woolston were proclaimed to be constituted a united borough under the name of the City of Christchurch:

And whereas by the union of the said City of Christchurch and the Borough of Woolston the district of the Woolston Fire Board ceased to exist:

And whereas there is no legal provision for the abolition of the said Fire Board and the distribution of its assets and liabilities:

Be it therefore enacted as follows:

The Woolston Fire Board is hereby dissolved as from 1 April 1922, and the assets and liabilities of the said Board shall be deemed to have become assets and liabilities of the Christchurch Fire Board on the said date.

64 Mount Pleasant Riding of Heathcote County deemed to have been constituted on 1st April, 1921

Whereas by Order in Council made under the Municipal Corporations Act 1920, dated 24 March 1921, and gazetted on the

30th day of the same month, an area described in the Schedule thereto was excluded from the Borough of Sumner and included in the County of Heathcote:

And whereas no action was taken under section 21 of the Counties Act 1920, with respect to the said area:

And whereas the Heathcote County Council has taken action with respect to the said area as if it had been formed into a new riding under that section, and has proceeded by way of special order to alter the boundaries thereof and of the Heathcote Valley Riding:

Be it therefore enacted as follows:

The area described in the Schedule to the aforesaid Order in Council shall for all purposes be deemed to have been duly declared on and from 1 April 1921, to be a riding of the County of Heathcote, to be known as the Mount Pleasant Riding.

65 Changing purpose of portion of South Rakaia Domain to a site for a maternity hospital

Whereas the land described in subsection (2) comprises portion of the South Rakaia Domain:

And whereas the control of the said Domain is vested in the South Rakaia Domain Board:

And whereas it is desired to change the reservation over the said portion of the aforesaid domain:

Be it therefore enacted as follows:

- (1) The reservation for the purposes of a domain over the land hereinafter described and also the vesting of the control of the said land in the South Rakaia Domain Board are hereby cancelled, and the said land is hereby reserved as a site for a hospital and vested in trust for that purpose in the Ashburton Hospital Board.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 1 acre, more or less, and being part of South Rakaia Suburban Lot 29, Block V (and also being part of Reserve 2442, South Rakaia Domain): commencing at a point on the South Rakaia Road distant 64 links from the south-east cor-

ner of the said Lot 29, and bounded towards the south by the aforesaid road, 300 links; and towards the west, north-west, north, and east by other parts of the said Lot 29, 250 links, 141.4 links, 200 links, and 350 links respectively: as the same is delineated on the plan marked L and S 1/412, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

66 Closing certain roads or streets intersecting Ashburton Hospital site, and vesting the same and other lands in Ashburton Hospital Board

Whereas by a notice in the *Gazette* of 29 January 1885, pursuant to clause 55 of the Schedule to the Special Powers and Contracts Act 1884, the boundaries of the Ashburton Hospital site were adjusted so that the said site should contain an area of 12 acres bounded as described in the said notice:

And whereas it is doubtful whether certain public roads or streets intersecting the said area have been closed:

And whereas it is desirable to close the said roads or streets and to vest the said area, including such closed roads or streets, in the Ashburton Hospital Board:

Be it therefore enacted as follows:

- (1) The public roads or streets intersecting the land hereinafter described are hereby closed.
- (2) The aforesaid land, as more particularly hereinafter described, including the public roads or streets declared to be closed by the last preceding subsection, is hereby vested in the Ashburton Hospital Board in trust as a site for a public hospital.
- (3) The land hereinbefore vested in the Ashburton Hospital Board is particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 12 acres, more or less, and being Reserve 4053 (formerly Reserve 2410 and parts of Reserves 308 and 1710 and certain roads), situated in the Borough of Ashburton, and bounded as follows: Towards the north-west by the West Belt, 750 links; towards the north-east and south-east by other part of Reserve 308 (the Ashburton Domain), 1600 links and 750 links respectively; and towards the south-west by Cox Street,

1600 links: as the same is more particularly delineated on the plan marked L and S 6/8/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

67 Validating certain expenditure incurred by Waimate Borough Council in the purchase of concrete-mixing plant

The expenditure by the Waimate Borough Council on the purchase of certain concrete-mixing plant of the sum of 554 pounds 2 shillings and 6 pence out of moneys borrowed by way of special loan under the Local Bodies Loans Act 1913, for sewerage-disposal purposes is hereby validated and declared to have been lawfully incurred.

68 Authorizing remissions of rent to holders of pasturage licenses of certain lands vested in Council of University of Otago

Whereas the lands hereinafter described are vested in the Council of the University of Otago:

And whereas by section 2 of the Otago University Reserves Act 1904, the said lands were declared to be subject to the provisions of the Land Act 1948, and disposable by way of lease under that Act by the Land Board of the district wherein they are situate:

And whereas the said lands are held by certain persons under pasturage licenses issued under Part 6 of the Land Act 1908, and it is desirable to afford relief to the said persons owing to exceptional circumstances caused by the present financial stringency preventing them from occupying their holdings profitably:

Be it therefore enacted as follows:

- (1) The Land Board for the Land District of Otago may, with the consent of the Council of the University of Otago, grant to any of the said licensees a remission of the rent payable under his license for such period, not exceeding 5 years, as it may deem reasonable:

provided that the amount so remitted to any such licensee shall not exceed during each year of such period the difference be-

tween the annual rent reserved by his lease and the upset annual rent at which such lease was offered by public auction.

- (2) In the event of an application being made to the said Land Board for its consent to the transfer of any license in respect of which the rent has been remitted under this section the Board shall, as a condition of its consent to such transfer, require the transferor to pay into the Public Account an amount equal to the amount of rent so remitted. All money paid into the Public Account pursuant to this subsection shall for all purposes be deemed to be rent accruing from the land and shall be disposed of accordingly:

provided that the Minister of Lands may, with the consent of the Council of the University of Otago and on the recommendation of the Land Board made on special grounds, to be specified by the said Board, remit the whole or any portion of the amount payable into the Public Account pursuant to this subsection.

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

All that area in the Otago Land District, containing 92 079 acres, more or less, being part of the Otago University Endowment, situated in Ohau River and Benmore Survey Districts, and comprising Runs 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, and 555.

Section 68: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

69 Effecting exchange of settlement lands for Crown lands in Otago Land District

Whereas the lands described in subsection (3) were acquired under the Land Act 1948:

And whereas it is desirable that these lands be exchanged for the Crown land of approximately equal value described in subsection (4):

Be it therefore enacted as follows:

- (1) The lands described in subsection (3) are hereby declared to be Crown land available for disposal under the Land Act 1948.

- (2) The land described in subsection (4) is hereby declared to be subject to the Land Act 1948.
- (3) The lands hereby declared to be Crown land are more particularly described as follows:

All that land in the Otago Land District, containing by admeasurement 1 acres 2 roods, more or less, being Pre-emptive A on the map of Block II, Tarras Survey District: bounded towards the north-east, south-east, south-west, and north-west by Crown lands: as the same is delineated on plan marked 8/9/85A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and coloured green:

All that area in the Otago Land District, containing by admeasurement 11 acres 2 roods, more or less, being Pre-emptive A on the map of Block VI, Tarras Survey District: bounded towards the north-west by Crown land; towards the north-east by Crown land; towards the south-east by Crown land; and towards the south-west by Section 20, aforesaid block: as the same is delineated on the plan marked 8/9/85A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and coloured green:

All that area of land in the Otago Land District, containing by admeasurement 100 acres, more or less, being Sections 2 and 5 on the map of Block V, Kawarau Survey District: bounded towards the north-east by a road-line; towards the south-east, south-west, and north-west by Crown land: as the same is delineated on plan marked 8/9/85B, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and coloured green.

- (4) The land hereby declared to be subject to the Land Act 1948, is more particularly described as follows:

All that area in the Otago Land District, containing by admeasurement 175 acres, more or less, being Section 19 on the map of Block I, Wakefield District: bounded towards the south-east by a public road; towards the south-west by Section 22, aforesaid block; towards the north-west by Section 13, said block; again towards the south-west by said Section 13; again towards the north-west by Run 630; towards the north-east by PR “C”; again towards the north-west by said PR “C”; and

again towards the north-east by Section 14, aforesaid block: as the same is delineated on the plan marked 8/9/85C, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and edged red.

Section 69: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

70 Stopping a street and adding the same and other lands to Cemetery Reserve No 2, Town of Queenstown

Whereas by an Ordinance of the Provincial Council of Otago, Session XX, 1865, the land therein described was reserved as a cemetery (now known as Cemetery Reserve No 2, Town of Queenstown):

And whereas it has been found necessary to adjust the boundaries of the said cemetery, and in process of such adjustment portion of the said cemetery has, by notice in the *Gazette* of 28 April 1920, been proclaimed a public street:

And whereas it is desired to stop portion of a street, and to add to the said cemetery the land comprised in such stopped street, and also the land hereinafter described:

Be it therefore enacted as follows:

- (1) The portion of street described in subsection (3) is hereby stopped.
- (2) Notwithstanding anything contained in section 60 of the Cemeteries Act 1908, the land described in subsection (3) and the Crown lands described in subsection (4) are hereby declared to be permanently reserved as a cemetery, and shall be added to and form part of Cemetery No 2, Town of Queenstown.
- (3) The stopped street hereinbefore referred to is particularly described as follows:

All that area in the Otago Land District, containing by admeasurement 15 perches, more or less, being that part of Robertson Street in the Town of Queenstown lying between Turner Street and Cemetery No 2, and bounded as follows: On the north-west by Turner Street, 100 links; on the north-east by Crown land 85 links; on the south-east by Cemetery No 2, 100.7 links; and on the south-west by Crown land, 96.6 links:

be all the aforesaid linkages more or less: as the same is delineated on a plan marked L and S 2/59, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- (4) The Crown lands referred to in subsection (2) are particularly described as follows:

All that area in the Otago Land District, containing by admeasurement 1 rood 8 perches, more or less, being Section 7, Block XLVIII, Town of Queenstown, and bounded as follows: Towards the north-east by Sections 1 and 2 of said block, 448 links; towards the south-east by Malaghan Street, 141 links; towards the north-west by Cemetery Reserve No 2, 124 links; towards the south-west by said Cemetery Reserve No 2, 367 links; again towards the south-east by said Cemetery Reserve No 2, 135.2 links; and again towards the south-west by a street to be closed, 85 links; and again towards the north-west by Turner Street, 195 links: be all the aforesaid linkages more or less:

All that area in the Otago Land District, containing by admeasurement 2 perches, more or less, being Section 8, Block XLVIII, Town of Queenstown, and bounded as follows: Towards the north-east by a street hereby closed, 96.6 links; towards the south-east by Cemetery Reserve No 2, 12.1 links; towards the south-west by a public street, 98 links; and towards the north-west by Turner Street, 12 links: be all the aforesaid linkages more or less:

As the same are delineated on plan marked L and S 2/59B, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

71 Exchanging public school site, Town of Ranfurly, for certain Crown lands

Whereas Section 22, Block I, Town of Ranfurly, in the Land District of Otago, containing 10 acres and 32 perches, more or less, was by Warrant published in the *Gazette* of 2 May 1901, permanently reserved as a site for a public school:

And whereas the said section is no longer suitable for the purpose for which it was set apart, and the Education Board of

the District of Otago desires to exchange the said section for Crown lands, being Sections 13, 14, 16, and 17, Block III, Town of Ranfurly, containing an area of 4 acres:

Be it therefore enacted as follows:

- (1) The reservation as a site for a public school over Section 22, Block I, Town of Ranfurly, is hereby cancelled, and the said section is hereby declared to be Crown land available for disposal under the Land Act 1948.
- (2) Sections 13, 14, 16, and 17, Block III, Town of Ranfurly, are hereby reserved, in lieu of the aforesaid Section 22, as a site for a public school, and are hereby vested in the Education Board of the District of Otago.

Section 71(1): amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

72 Empowering Dunedin Technical School Board to transfer certain lands to Otago Education Board

Whereas all those parcels of land, containing in the aggregate 38 acres 3 roods 28 perches, more or less, situated in the Wakari District, being Sections 71 and 73, part of Sections 69 and 87, and parts of Sections 83 and 85, shown on the public map of the said district, deposited in the office of the Chief Surveyor, at Dunedin, and being all the land comprised in the certificate of title, Register-book, Volume 139, folio 18 (Dunedin Registry), are vested in the Dunedin Technical School Board: And whereas it is expedient that the Dunedin Technical School Board should be empowered to transfer the said parcels of land to the Education Board of the District of Otago:

Be it therefore enacted as follows:

The Dunedin Technical School Board is hereby empowered to transfer the said parcels of land to the Education Board of the District of Otago, and the said Education Board is empowered to dispose of the said land on such terms as shall be approved by the Minister of Education; and, with similar approval and consent, shall, as soon as conveniently may be, invest the proceeds of such disposal in other land for educational purposes.

73 Authorizing trustees of Sailors' Home site, Dunedin, to transfer the same to Otago Harbour Board, and providing for certain payments to Otago Branch of British and Foreign Sailors' Society

[Repealed]

Section 73: repealed, on 25 October 1960, by section 26(4) of the Local Legislation Act 1960 (1960 No 107).

74 Including in Section 1, Block XVI, Wendon Survey District, land comprised in a certain closed road

Whereas by a Proclamation under section 11 of the Land Act 1908, published in the *Gazette* of 16 December 1920, a portion of road, containing 1 acre and 17 perches, adjoining Section 1, Block XVI, Wendon Survey District, in the Land District of Southland, and described in the Second Schedule to that Proclamation, was closed and a new road taken in lieu thereof:

And whereas the said Section 1 is set apart as an endowment for primary education, and it is desirable that the said closed road should be included in and form part of the said section:

Be it therefore enacted as follows:

- (1) The said area of 1 acre and 17 perches is hereby set apart as an endowment for primary education, and shall be deemed to be included in and form part of Section 1, Block XVI, Wendon Survey District.
- (2) On receipt of a certificate under the hand of the Commissioner of Crown Lands for the Southland Land District setting forth a description of the boundaries of Section 1, Block XVI, Wendon Survey District, as altered pursuant to this section, and the alteration (if any) of rent payable under the lease of that land, the District Land Registrar for the Southland Land Registration District is hereby empowered and directed to make such endorsements on the certificate of title and lease of the said land and to take such other action as may be necessary to give effect to the provisions of this section.

75 Authorizing Governor-General to declare parts of Fiordland National Park to be scenic reserves

Whereas by Warrant published in the *Gazette* of 23 February 1905, an area of 2 326 200 acres in the Southland Land District

in the counties of Lake, Wallace, and Fiord was permanently reserved as a national park:

And whereas it is desirable that the Governor-General should be empowered to change the purpose of, and to proclaim from time to time as set apart as a scenic reserve under the Reserves Act 1977, such part or parts of the said national park as may be deemed expedient:

Be it therefore enacted as follows:

The Governor-General may from time to time, by Proclamation, cancel the existing reservation over such part or parts of the said national park as he thinks fit, and declare the same to be a reserve under the Reserves Act 1977.

Section 75: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

76 Section 127 of Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, amended

Whereas by section 127 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, the Corporation of the Southland Boys' and Girls' High Schools Board (hereinafter referred to as the **Board**) was empowered to borrow from the Public Trustee, with the sanction of the Governor-General, and the Public Trustee was empowered to lend to the Board, a sum not exceeding 15,000 pounds at interest at the rate of 5.5 per centum per annum, on certain terms and conditions set forth in the said section:

And whereas it is expedient to increase the amount which the Public Trustee may lend to the Board to 25,000 pounds, and to vary the provision for the payment of interest at the rate of 5.5 per centum per annum:

Be it therefore enacted as follows:

- (1) Section 127 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, is hereby amended by omitting the words "15,000 pounds" wherever those words occur in that section, and substituting the words "25,000 pounds."
- (2) Notwithstanding anything to the contrary in the Education Lands Act 1949, the Board is hereby empowered to pay to the

Public Trustee in respect of any loan granted to it pursuant to the said section 127 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920, as amended by the preceding subsection, interest at such rate, not exceeding 7 per centum per annum, as the Minister of Finance determines.

Section 76(2): amended, on 1 January 1950, pursuant to section 21 of the Education Lands Act 1949 (1949 No 24).

77 Section 16 of Bay of Islands Harbour Board Act 1920, amended

Section 16 of the Bay of Islands Harbour Act 1920, is hereby amended by omitting the words “within 12 months of the date of its first meeting,” and substituting the words “before 1 July 1922.”

78 Empowering Takapuna Borough Council to borrow £4,100 for certain purposes

The Takapuna Borough Council may, by special order and without taking the steps described in sections 8 to 12 of the Local Bodies’ Loans Act 1913, borrow by way of special loan under that Act the sum of 4,100 pounds, and shall apply the same as follows:

- (a) in payment of a liability amounting to 1,750 pounds incurred in obtaining an engineer’s report on a drainage scheme for the Borough of Takapuna:
- (b) in payment of an amount of 320 pounds for the purpose of completing the purchase of certain land for the purpose of a Council yard:
- (c) in refunding to the General Account of the borough an amount of 2,030 pounds, paid out of that account in connection with the providing of sanitary conveniences and bathing-sheds on certain beaches in the borough.

79 Empowering Auckland City Council to borrow £7,000 for enlargement and improvement of abattoirs

The Auckland City Council may, without taking the steps described in sections 8 to 12 of the Local Bodies Loans Act 1913, borrow by way of special loan under that Act the sum of 7,000

pounds, and expend the same in enlarging and improving the Auckland abattoirs.

80 Reserving for railway purposes certain lands at Newmarket

Whereas by Crown grant bearing date 20 December 1850, all that allotment of land containing by admeasurement 3 acres 2 roods, situated in the Suburbs of Auckland, and being Allotment 24 of Section 4, was conveyed and granted to the Wardens of the Hundred of Auckland in trust to be used as a site for a pound, slaughterhouse, and cattle-market:

And whereas it was later ascertained by a resurvey that the actual area of the allotment of land conveyed by the said-in-part-recited grant was 4 acres 1 rood 23 perches:

And whereas by section 3 of the Newmarket Reserve Disposal Act 1872, the hereinbefore-in-part-recited grant to the said Wardens was cancelled and revoked, and the lands therein comprised and vested in the said Wardens reverted to the Crown:

And whereas by section 4 of the said Act portion of the said allotment was set apart as a reserve for railways; such portion as aforesaid being the land described in Schedule 2 to the said Act, and containing by admeasurement an area of 2 acres 1 rood 5 perches:

And whereas by section 5 of the said Act it was provided that the residue of the said allotment should, as soon as conveniently might be after the passing of the said Act, be granted by the Governor to the Superintendent of the Province of Auckland, to be held upon trust for the public service:

And whereas by Crown grant dated 27 December 1873, part of the residue of the said allotment was granted under the provisions of the Public Reserves Act 1854, to the Superintendent of the Province of Auckland upon trust as a site for a public hall and reading-room at Newmarket; such part being the land described in the Newmarket Hall Site Act 1874, and containing by admeasurement an area of 21 perches:

And whereas by notice in the *Gazette* of 12 May 1881, portion of the said allotment and also other Crown lands comprised

in Allotments 27 and 35 of Section 14 and parts of Allotment 23 of Section 4, all situated in the Suburbs of Auckland, were temporarily reserved for railway purposes:

And whereas by notice issued under section 145 of the Land Act 1877, and published in the *Gazette* of 30 June 1881, the lands temporarily reserved as aforesaid were permanently reserved for railway purposes:

And whereas part of the said Allotment 24 of Section 4, situated in the Suburbs of Auckland, then occupied for railway purposes, was omitted from the respective *Gazette* notices reserving temporarily and permanently for railway purposes lands as aforesaid:

And whereas the portion of the said Allotment 24 of Section 4 permanently reserved for railway purposes as aforesaid was wrongly described as Allotment 23:

And whereas doubts have arisen as to the validity of the said *Gazette* notices, and it is now desired to reserve for railway purposes the lands therein comprised, together with other lands occupied by the railway at Newmarket:

Be it therefore enacted as follows:

- (1) The lands hereinafter described are hereby reserved for railway purposes, and shall be deemed to have been so reserved as from 30 June 1881.
- (2) The lands to which the preceding subsection refers are particularly described as follows:

All that piece or parcel of land, containing by admeasurement 9 acres and 31 perches, more or less, being Allotment 27 of Section 14 of the Suburbs of Auckland, situated in the Rangitoto Survey District: bounded towards the north-east by Allotment 35, 1015 links; towards the south-east by a road-line, 1382 links; towards the south-west by the Remuera Road, 101 links; and towards the west by the Newmarket Station Reserve, 420 links, 448 links, and 442 links, and by a stream: be all the aforesaid linkages more or less:

All that piece or parcel of land, containing by admeasurement 6 acres and 5 perches, more or less, being Allotment 35 of Section 14 of the Suburbs of Auckland, situated in the Rangitoto Survey District: bounded towards the north-east by a stream;

towards the south-east by Middleton Road, 460 links; towards the south-west by Allotment 27, 1015 links; and towards the north-west by a stream: be all the aforesaid linkages more or less:

All that piece or parcel of land, containing by admeasurement 3 acres 2 roods, more or less, being the north-eastern portion of Allotment 23 of Section 4 of the Suburbs of Auckland, situated in the Rangitoto Survey District: bounded towards the north-east by Allotment 22, 540 links; towards the east and south-east by a stream; and towards the south-west and north-west by railway reserve, 912 links: be all the aforesaid linkages more or less:

All that piece or parcel of land, containing by admeasurement 2 acres, more or less, being the western middle portion of Allotment 23 of Section 4 of the Suburbs of Auckland, situated in the Rangitoto Survey District: bounded towards the north-east by a stream; towards the east by railway reserve, 366 links; towards the south by other portion of Allotment 23, 179 links, 50 links, and 227 links; and on the west by Broadway (street), 550 links: be all the aforesaid linkages more or less:

All that piece or parcel of land, containing by admeasurement 4 acres and 9 perches, more or less, being portion of Allotment 24 of Section 4 of the Suburbs of Auckland, situated in the Rangitoto Survey District: bounded towards the north and west by the public-hall site 127 links and 91 links, by Allotment 23 and railway reserve 505 links; towards the east by a stream; towards the south by the Remuera Road; and towards the west by Broadway (street), 829.8 links: be all the aforesaid linkages more or less:

As all the aforesaid lands are delineated on plan numbered L and S 22/2868, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

81 Moneys received by Onehunga Borough Council in respect of Onehunga and Mount Smart Domains to form one common fund

[Repealed]

Section 81: repealed, on 15 March 1938, by section 27(6) of the Reserves and other Lands Disposal Act 1937 (1937 No 39).

**82 Validating order of Native Land Court declaring Netana
Taua to be the sole owner of Section 215, Parish of
Waimana, Auckland Land District**

[Repealed]

Section 82: repealed, on 1 January 1932, by section 558 of the Native Land Act 1931 (1931 No 31).

**83 Conferring jurisdiction on Native Land Court with
respect to Allotments 323–331, Parish of Waimana,
Auckland Land District**

[Repealed]

Section 83: repealed, on 1 January 1932, by section 558 of the Native Land Act 1931 (1931 No 31).

**84 Empowering Opotiki and Waioeka Domain Board to
borrow £2,000 for improvements to domain**

- (1) The Opotiki and Waioeka Domain Board constituted pursuant to Part 2 of the Public Reserves and Domains Act 1908, is hereby authorised and empowered to borrow by way of bank overdraft, or from any State Loan Department, and any such Department is hereby authorised and empowered to lend to the said Board, at a rate of interest to be approved by the Minister of Finance, a sum not exceeding 2,000 pounds for the improvement of the Opotiki and Waioeka Domain.
- (2) The said Board may pledge the annual revenues and other receipts from the said domain as security for any moneys so borrowed.
- (3) Section 99 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, is hereby repealed.

**85 Empowering Waikato River Board to borrow £800 to
repay advances in respect of certain works**

Whereas the Waikato River Board (hereinafter referred to as the **Board**) has carried out certain works for the purpose of improving the course of the Maungatawhiri Creek:

And whereas the cost of such works was borne partly out of moneys advanced from the Board's General Account and partly out of moneys temporarily advanced to the Board by 3

ratepayers of the Koheroa Subdivision of the Waikato River District:

And whereas the Board is desirous of raising a special loan under the provisions of the Local Bodies Loans Act 1913, for the purpose of repaying the moneys advanced as aforesaid, but there is no authority to raise such loan for a work already completed or for such repayment:

Be it therefore enacted as follows:

The Waikato River Board may, by special order and without taking the steps directed in sections 8 to 12 of the Local Bodies Loans Act 1913, borrow, by way of special loan under that Act, a sum not exceeding 800 pounds for the purpose of making such repayment, and may pay or transfer the proceeds of such loan to the said General Account and to the said 3 ratepayers to the extent of the amount advanced from such account or by such ratepayers respectively.

86 Authorizing Raglan County Council to sell certain land

Whereas the body corporate called the Chairman, Councilors, and Inhabitants of the County of Raglan, exercising (by virtue of a certain Order in Council dated 27 January 1894) the powers of a Harbour Board in respect of the Whaingaroa Harbour, did, by deed of conveyance bearing date 26 November 1913, registered in the Deeds Registry Office, at Auckland, under No 232261, acquire and become the owner in fee-simple of that piece of land, containing by admeasurement 2 roods, more or less, being Lot 10 of Section 5 of the Town of Raglan East, being part of that block of land situated at Whaingaroa and granted under Crown grant No 98G, the said piece of land being bounded towards the north-east by Section 11 of the said subdivision, 400 links; towards the south-east by Section 15 of the said subdivision, 125 links; towards the south-west by Section 9 of the said subdivision, 400 links; and towards the north-west by a street known as Rose Street, 125 links; together with all the rights and appurtenances thereunto belonging:

And whereas such acquisition was for harbour purposes:

And whereas the said piece of land above described is now no longer required for harbour purposes, and it is desirable that it should be sold:

Be it therefore enacted as follows:

- (1) The Raglan County Council is hereby authorised to sell by public auction or private contract, either in lots or as a whole, the said land, and to convey and assure the same to a purchaser or purchasers, and for the purposes aforesaid, if it thinks fit, to subdivide the same into lots for sale.
- (2) The proceeds of such sale shall be paid to the credit of the Whaingaroa Harbour Wharf Construction Account.

87 Closing portion of road along the Putikituna Stream, Taranaki Land District, and authorizing disposal thereof

Whereas the river-bank road situated near the confluence of the Putikituna Stream with the Tangarakau River is in excess of 1 chain in width, and it is desirable to close portion of the said road and to dispose of the closed portion under the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the hereinafter-described portion of the aforesaid river-bank road is hereby closed, and the land comprised therein is hereby declared to be Crown land available for disposal under the Land Act 1948.
- (2) The portion of the aforesaid road hereby closed is more particularly described as follows:

All that area in the Taranaki Land District, situated in Block XV, Pouatu Survey District, containing by admeasurement 7 acres, more or less: bounded on the south-east and north-east sides by a line parallel to and 1 chain distant from the Tangarakau River, on the north-west by the Putikituna Stream, and on the south-west by the Putikituna Road: as the same is delineated on a plan marked L and S 9/1110, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 87: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

88 Authorizing the taking of certain action with respect to Suburban Sections 48 and 49 and Sections 1 and 9 in the Town of Opunake

Whereas by a notice published in the *Gazette* of 13 May 1871, Suburban Section 48, Town of Opunake, containing an area of 9 acres 2 roods, and Suburban Section 49 in the said town, containing an area of 5 acres 2 roods, which comprise parts of Original Section 31, Suburbs of Opunake, were with other lands permanently reserved for general Government purposes:

And whereas by Orders in Council published in the *Gazette* of 28 December 1893, Sections 1 to 9 (inclusive), Block VIII, in the said town, containing 2 acres and 19 perches, were declared to be subject to the provisions of the Reserves Act 1977, and the control and management of the said domain were vested in the Opunake Town Board:

And whereas it is desired to give effect to an arrangement made whereby the fee-simple of the said Section 49 shall be vested in the Opunake Town Board, and a lease of Section 48 issued to the said Town Board in consideration of the said Town Board taking such action as will stop the streets hereinafter mentioned, and giving its consent to the cancellation of the existing reservation over, and control of, Section 1 to 9 (inclusive), Block VIII, Town of Opunake:

Be it therefore enacted as follows:

- (1) Upon the Opunake Town Board having wholly stopped those parts of Carrington Road and of Macaulay Terrace described in subsection (2), and upon the written consent of the said Board being obtained to the cancellation of the existing reservation as a domain over Sections 1 to 9 (inclusive), Block VIII, Town of Opunake, and of the vesting of the control and management of the said domain in the said Board, the Governor-General may,—
 - (a) by Warrant under his hand, cancel the existing reservation over, and direct the District Land Registrar to issue a certificate of title in fee-simple to the Opunake Town Board in respect of, the said Suburban Section 49, Town of Opunake, as a site for hydro-electric purposes:
 - (b) notwithstanding anything to the contrary in the Reserves Act 1977, grant a lease to the Opunake Town

Board of Suburban Section 48, Town of Opunake, for any term which will expire at a date not later than 27 May 1961, at such rent and subject to such conditions as he thinks fit:

- (c) by Warrant under his hand, cancel the existing reservation over Sections 1 to 9, Block VIII, Town of Opunake, and declare the said sections, together with the lands described in subsection (2), to be Crown lands.
- (2) The parts of Carrington Road and of Macaulay Terrace referred to in the last preceding subsection are particularly described as follow:

All that parcel of land in the Town of Opunake, in the Taranaki Land District, containing 2 acres 1 rood 20 perches, more or less, being all that portion of Carrington Road situated between Parris Street and Macaulay Terrace, and all that portion of Macaulay Terrace situated between a line drawn from the southernmost corner of Section 9, Block VIII, Town of Opunake, to the Waiaua Stream, and being a production of the south-western boundary of said Section 9, Block VIII, Town of Opunake, and a line drawn from the south-eastern corner of Section 5, Block II, Town of Opunake, to the eastern side of Macaulay Terrace, and being a production of the southernmost boundary of said Section 5, Block II, Town of Opunake: as the same is delineated on plan marked L and S 6/1/81, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

- (3) Nothing in the Public Works Act 1981, or any other Act shall so operate as to prohibit the Opunake Town Board from stopping that part of Macaulay Terrace described in the last preceding subsection.

Section 88: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

Section 88(1)(b): amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

Section 88(1)(b): amended, on 6 November 1924, by section 100 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55).

Section 88(3): inserted, on 31 October 1922, by section 30 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 (1922 No 50).

Section 88(3): amended, on 1 February 1982, pursuant to section 248(1) of the Public Works Act 1981 (1981 No 35).

89 Authorizing Feilding Borough Council to make a special rate of 9/32d as security for a loan of £5,000, and to repay certain moneys to its General Account

Whereas the Feilding Borough Council was authorised by a poll of ratepayers of the said borough taken on 28 June 1921, to borrow the sum of 5,000 pounds by way of special loan under the Local Bodies Loans Act 1913, for the purpose of extending the electric-lighting system of the said borough:

And whereas in the proposal submitted to the ratepayers the security for the said loan was inadvertently stated as a special rate of 7 thirty-seconds of a penny in the pound on the rateable value of all rateable property in the said borough instead of a special rate of 9 thirty-seconds of a penny in the pound:

And whereas, in anticipation of the raising of the said loan, the said Council expended certain moneys out of the General Account of the borough:

And whereas it is desirable to authorise the said Council to make and levy a special rate of 9 thirty-seconds of a penny in the pound as aforesaid, and to repay to the General Account moneys expended thereout in anticipation of the raising of the said loan.

Be it therefore enacted as follows:

- (1) The Feilding Borough Council may, as security for the said loan and for the purpose of providing for interest and sinking-fund charges in respect thereof, make and levy a special rate of 9 thirty-seconds of a penny in the pound on the rateable value of all rateable property in the said borough.
- (2) The said Council may, out of the proceeds of the said loan, repay to the General Account of the borough moneys expended thereout for the purpose for which the said loan was raised.

90 Authorizing Kairanga County Council to make differential rates as security for a proposed loan of £2,000

Whereas on 18 August 1921, the Kairanga County Council submitted to a poll of the ratepayers of the Taonui and Man-

gaone Ridings of the said county a proposal to borrow, by way of special loan under the Local Authorities Loans Act 1956, the sum of 2,000 pounds for the purpose of widening and remetalling the Rangitikei Line Road and treating the surface thereof with tar and asphalts:

And whereas such proposal was approved by such ratepayers:

And whereas the security for repayment of the said loan was stated in such proposal to be a special rate of one-hundredth of a penny in the pound on the rateable value of all rateable property in the said Taonui Riding, and a special rate of 3 two-hundredths of a penny in the pound on the rateable value of all rateable property in the said Mangaone Riding:

And whereas there is no authority at law to pledge as security for the said loan any special rate other than a special rate of one amount over the whole of the area comprised in the said ridings:

And whereas it is desirable to authorise the security proposed by the said Council and approved by the ratepayers of the Taonui and Mangaone Ridings as aforesaid:

Be it therefore enacted as follows:

- (1) The Kairanga County Council may, without any further authorization by the ratepayers of the Taonui and Mangaone Ridings of the Kairanga County, borrow the sum of 2,000 pounds by way of special loan under the Local Authorities Loans Act 1956, for the purposes aforesaid.
- (2) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, the said Council may pledge as security for such loan a special rate of one-hundredth of a penny in the pound on the rateable value of all rateable property in the said Taonui Riding, and a special rate of 3 two-hundredths of a penny in the pound on the rateable value of all rateable property in the said Mangaone Riding, and the resolution of the said Council making such rates, passed at a meeting thereof held on 11 October 1921, is hereby validated.

Section 90: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

91 Vesting in Commissioner of State Forests control for forestry purposes over Section 4, Blocks XI and XII, Akatarawa Survey District, Wellington Land District

Whereas Section 4 (DP 1820), Blocks XI and XII, Akatarawa Survey District, part Pakuratahi Block, comprising 3 102 acres 3 roods 20 perches, contained in certificate of title, Volume 160, folio 47, Wellington Land Registration District, is held by His Majesty for hydro-electric purposes:

And whereas it is expedient to vest the control of the said Section 4, for the purposes of forestry only, in the Commissioner of State Forests, with power to lease the said land or any portion thereof subject to the terms and conditions hereinafter appearing:

Be it therefore enacted as follows:

- (1) The control of the land hereinbefore described is hereby vested in the Commissioner of State Forests for the purposes of forestry only.
- (2) Any proceeds derived from the said land shall be paid to the State Forests Account, and one-half of the net proceeds shall, as and when the Minister of Finance so directs, be transferred from the State Forests Account to the Water-power Account.
- (3) No land below contour 750 feet above sea-level shall be planted with forest.
- (4) In the event of any Government hydro-electric scheme being established in the vicinity the Minister of Public Works shall have the right to obtain free of royalty any timber on the said land that may be required for the purposes of such scheme.
- (5) The Commissioner of State Forests may, in the name and on behalf of His Majesty, lease the said land, or such portion thereof as he thinks fit, and upon such terms and conditions as may be deemed expedient, but subject to the following special conditions, viz:
 - (a) the term of any lease shall not exceed 21 years.
 - (b) any lease may be terminated or modified at any time by the Commissioner of State Forests giving 6 months' written notice should the land leased or any part thereof be required in connection with any Government hydro-electric scheme or other public purpose, and no person

shall be entitled to any compensation in respect of or arising out of any such termination.

- (6) The Commissioner of State Forests shall not be entitled to compensation for any loss of revenue if hydro-electric works are established.
- (7) This section shall come into force on 1 April 1922.

92 Validating expenditure by Miramar Borough Council of the printing of a souvenir of the union of Miramar with Wellington City

The expenditure by the Miramar Borough Council of the sum of 53 pounds 3 shillings and 3 pence on the printing of a souvenir of the union of the City of Wellington and the Borough of Miramar is hereby validated and declared to have been lawfully incurred.

93 Authorizing Wellington City Council to transfer certain sums to District Fund Account from certain accident fund accounts

The Wellington City Council is hereby authorised to transfer the sum of 10,000 pounds from the Tramways and Power-supply Accident Fund to the District Fund Account, and also to transfer the sum of 1,500 pounds from the Electric Lighting and Power Supply Accident Fund Account to the District Fund Account.

94 Section 11 of Wellington Harbour Board Reclamation and Empowering Act 1908, amended

- (1) Section 11 of the Wellington Harbour Board Reclamation and Empowering Act 1908, as amended by section 57 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, is hereby further amended by omitting the proviso thereto, and substituting the following as subsection (2) thereof:
 - “(2) The yearly interest named in any debentures issued in respect of any moneys borrowed under the authority of this Act shall not exceed 5 pounds 10 shillings per centum per annum, and the Board shall, on borrowing such moneys, provide a sinking

fund of not less than 1 pound per centum per annum thereon. If any of such debentures are issued at a price less than par, the limit of rate of interest hereby imposed shall not be deemed to be exceeded by reason that the persons applying for or purchasing such debentures may thereby receive a greater rate of interest upon the actual purchase price of such debentures.”

- (2) Section 57 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919, is hereby repealed.

95 Validating certain purchases of land arising out of transfer of Terrace Gaol site to Wellington Education Board

Whereas the Education Board of the District of Wellington (hereinafter referred to as the **Board**) was desirous of proceeding with the erection of a school on a portion (made available as a site for that purpose) of the area of land in the City of Wellington occupied for the purposes of one of His Majesty’s prisons and known as the Terrace Gaol Reserve:

And whereas it was a condition precedent to the immediate utilization of the site so made available that residential accommodation should be temporarily provided elsewhere for certain officers of the prison, the removal of whose residences was involved in the preparation of the site for building:

And whereas it was found impossible to secure such temporary residential accommodation otherwise than by the purchase of 2 houses, and such houses were purchased by the Board with the approval of the Minister of Education:

And whereas the Board entered into an agreement with the Minister of Education as hereinafter set out with respect to the purchase of the said 2 houses:

And whereas there was no lawful authority for the purchase of the said houses or for entering into the said agreement, and it is desirable to validate the action of the Board:

Be it therefore enacted as follows:

- (1) The purchase by the Board of the 2 houses aforesaid for the purpose of providing temporary accommodation for certain officers of His Majesty’s prison at Wellington is hereby validated and declared to have been lawfully made.

- (2) The amount of the purchase-money for the said houses may be paid by the Board out of moneys available for the rebuilding of schools, and when the houses are no longer required the Board may sell them as if they were school buildings or residences requiring to be replaced.
- (3) The Board is hereby empowered to pay into the Public Account, pursuant to an agreement entered into by the Board with the Minister of Education, the amount (if any) of profit made by it on the sale of the houses as aforesaid, in consideration of the payment by the Minister, out of moneys to be appropriated for the purpose, of interest on the purchase-money for the said houses.

96 Validating certain expenditure incurred by Nelson City Council

Whereas the members of the Nelson City Council were surcharged by the Audit Office in respect of the sum of 109 pounds 7 shillings and 11 pence paid by the Council for the year ended on 31 March 1920, in excess of the limit allowed for unauthorised expenditure under section 28 of the Public Revenues Amendment Act 1913:

And whereas such members, pursuant to such surcharge as aforesaid, have since recouped the District Fund of the City of Nelson to the extent of the said sum of 109 pounds 7 shillings and 11 pence

And whereas it is desirable to validate such excess and to authorise the refund to the persons entitled of the sum so paid pursuant to the surcharge of the Audit Office:

Be it therefore enacted as follows:

- (1) The payment of the said sum of 109 pounds 7 shillings and 11 pence by the Nelson City Council for the year ended on 31 March 1920, in excess of the limit allowed for unauthorised expenditure under section 28 of the Public Revenues Amendment Act 1913, is hereby validated and declared to have been lawfully made.
- (2) The Nelson City Council is hereby empowered to refund to the persons entitled such sums as were paid by them as members

of the Nelson City Council pursuant to the surcharge of the Audit Office as aforesaid.

97 Authorizing the grant to the Tasman Fruit-packing Association (Limited) by the Motueka Harbour Board of special leases of certain lands

- (1) Notwithstanding anything to the contrary in the Harbours Act 1950, the Motueka Harbour Board is hereby empowered to grant a lease or leases of the lands described in this section to the Tasman Fruit-packing Association (Limited), for a term or terms of 21 years, at such rents and subject to such conditions as the said Board shall think fit.
- (2) In such lease or leases may be included a provision for the renewal thereof for one further term or further terms of 21 years, upon such conditions and at rental or rentals assessed in such manner as the said Board shall think fit.
- (3) The provisions of section 41 of the Harbours Amendment Act 1910, shall not apply to any lease or leases granted under the authority of this section.
- (4) The lands to which this section applies are—

Firstly, that piece of land, containing 2 acres 2 roods, more or less, being part of the foreshore of the Moutere Inlet, opposite Section 103, Block XII, Motueka Survey District, bounded on the southward (600 links) by the Tasman Wharf, on the eastward (400 links) and on the northward by other part of the foreshore of the Moutere Inlet, and on the westward by a public road:

Secondly, that piece of land, containing 2 acres, more or less, at the junction of the Kina Beach Road and the Peninsular Road, being part of the foreshore of the Moutere Inlet, situated in Block XII, Motueka Survey District, bounded on the southward by the Kina Beach Road, on the eastward by the Peninsular Road, on the northward (500 links) and on the westward (400 links) by other part of the foreshore of the Moutere Inlet.

Section 97(1): amended, on 15 October 1950, by section 269(1) of the Harbours Act 1950 (1950 No 34).

98 Validating union of certain river districts and abolition of certain drainage districts in the Marlborough Land District

Whereas by a Proclamation dated 28 June 1921, published in the *Gazette* of the 30th day of the same month, and purporting to be made under the River Boards Act 1908, the Lower Wairau, Pukaka, Spring Creek, and Tuamarina River Districts were declared on and from 1 July 1921, to be united and to form 1 district under and for the purposes of the said Act, to be called and known as the **Wairau River District**:

And whereas by Orders in Council dated 27 June 1921, published in the *Gazette* of the 30th day of the same month, and purporting to be made under the Land Drainage Act 1908, the Pukaka River Drainage District (the boundaries whereof were coterminous with those of the Pukaka River District aforesaid) and the Wairau Maori Drainage District were abolished on and from 30 June 1921:

And whereas by a further Proclamation, dated 2 July 1921, published in the *Gazette* of the same date, and purporting to be made under the River Boards Act 1908, the area described in the First Schedule to that Proclamation, being the area formerly comprised in the Wairau Maori Drainage District, was declared to be added to and to form part of the said Wairau River District on and from 2 July 1921; the boundaries of that river district were declared to be those described in the Second Schedule to the said Proclamation; and the district was declared to be divided into 4 subdivisions with boundaries as described in the Third Schedule to that Proclamation:

And whereas doubts have arisen as to the validity of the aforesaid Proclamations and Orders in Council, or of 1 or more of them:

Be it therefore enacted as follows:

- (1) The Proclamations and Orders in Council aforesaid shall severally be deemed to have had effect according to the tenor thereof.
- (2) Nothing in subsections (1), (2), and (3) of section 87 of the Land Drainage Act 1908, shall apply or be deemed to have applied at any time after 29 June 1921, in respect of the abolition

of the Pukaka River Drainage District and the Wairau Maori Drainage District, but the property, assets, liabilities, and engagements of the Drainage Boards thereof shall be deemed to have become the property, assets, liabilities, and engagements of the Wairau River Board on 2 July 1921, and all actions and proceedings pending by or against such Drainage Boards may be carried on and prosecuted by or against the said Wairau River Board.

99 Authorizing Havelock Town Board to acquire land for cemetery purposes

- (1) Notwithstanding anything to the contrary in the Burial and Cremation Act 1964, prohibiting the establishment of a cemetery within the limits of a borough or town district, the land hereinafter described shall, in the event of its being acquired by the Havelock Town Board, be deemed to be set apart for a cemetery, and the said land shall, for all purposes, be deemed to be part of the public cemetery now established in the said town district.
- (2) The land referred to in this section is particularly described as follows:

All that area situated in the Marlborough Land District, containing by admeasurement 1 acre 1 rood 15 perches, being Section 61, Town of Havelock.

Section 99(1): amended, on 1 April 1965, pursuant to section 61(1) of the Burial and Cremation Act 1964 (1964 No 75).

100 Authorizing Roman Catholic Archbishop of Wellington to sell Section 1144, Town of Picton

Whereas by a Crown grant dated 22 October, 1862, issued under the Land Regulations of 1 July 1856, and registered in the Deeds Registry Office at Blenheim as No 3533, all that piece or parcel of land, containing 1 rood 12 perches, being Section 1144 on the plan of the Town of Picton, in the Marlborough Land District, was vested in Joseph Ward, Cyrus Goulter, John O'Sullivan, Cornelius Murphy, and Cornelius O'Dwyer, all of Blenheim, farmers, in trust for religious purposes in connection with the Roman Catholic Church in New Zealand:

And whereas all the said persons are dead:

And whereas no new trustee or trustees has or have been appointed in place of the said Joseph Ward, Cyrus Goulter, John O’Sullivan, Cornelius Murphy, and Cornelius O’Dwyer:

And whereas in consequence of the acquisition by the said Church of other lands in the said Town of Picton the said piece or parcel of land hereinbefore described is no longer required as a site for a church or other building for the purposes of the said Roman Catholic Church:

Be it therefore enacted as follows:

The District Land Registrar for the Land Registration District of Marlborough is hereby empowered and directed, subject to a Warrant in that behalf under the hand of the Governor-General, to issue a certificate of title in the name of the Roman Catholic Archbishop of Wellington for the said piece or parcel of land, with power to the said Archbishop to sell the same to the best advantage, but in such a manner as he thinks fit, and to devote the proceeds derived from such sale in and towards religious purposes in connection with the said Roman Catholic Church in New Zealand.

101 Authorizing payment of compensation to Greymouth Harbour Board in respect of land taken for railway purposes, and vesting certain land in the Board

Whereas by section 4 of the Greymouth Harbour Board Amendment Act 1920, the Minister of Railways (hereinafter referred to as the **Minister**) is empowered to enter into such agreements as he may think fit with the Greymouth Harbour Board (hereinafter referred to as the **Board**) with respect to the management and control of the Greymouth Railway Wharf:

And whereas, in pursuance of the said Act, it has been agreed between the Minister and the Board that the Board shall have the management and control of the said wharf, and it is desirable to vest in the Board certain land at Greymouth hereinafter described (being part of a railway reserve) to the intent that the whole of the land whereon the said wharf is built should be the property of the Board:

And whereas by a Proclamation dated 8 August 1916, and published in the *Gazette* of 17 August 1916, certain lands at Greymouth, reclaimed at the cost of the Board, as such lands are described in the said Proclamation, were taken for railway purposes:

And whereas the compensation legally payable to the Board in respect of the lands so taken is by subsection (3) of section 126 of the Harbours Act 1908, limited to the amount which the Board has actually laid out upon the said lands for cost of reclamation or otherwise in permanently improving the same:

And whereas the cost of the reclamation of the said land cannot be definitely ascertained:

And whereas the Minister has agreed to pay to the Board, and the Board has agreed to accept from the Minister, the sum of 2,500 pounds in full and final settlement of the Board's claim for compensation in respect of the said land:

And whereas it is desired to authorise the Minister to make such payment:

Be it therefore enacted as follows:

- (1) On the passing of this Act it shall be lawful for the Minister to pay to the Board the said sum of 2,500 pounds as full compensation for the land taken for railway purposes as aforesaid.
- (2) The land hereinafter described is hereby vested in the Board for the purposes for which the Board is constituted.
- (3) The land to which the last preceding subsection relates is particularly described as follows:

All that area of land in the Westland Land District, being portion of railway reserve at Greymouth on which the wharf-structure known as the Railway Wharf is erected, measuring 1177 links in length and 34 links in width, and comprising 1 rood 24 perches (be these measurements a little more or less), being opposite Mawhera Quay approximately between the lines of Boundary and Tainui Streets: as the same is more particularly delineated on the plan numbered 30034 in the office of the Minister of Railways, at Wellington, and thereon coloured blue.

102 Vesting portion of Reserve 49, Town of Greymouth, in Grey Hospital Board, and validating certain leases thereof

Whereas by notice published in the *Gazette* of 31 December 1874, the land described in the schedule to that notice was permanently reserved for hospital purposes:

And whereas it is desired to vest the hereinafter-described portion of the said land in the Grey Hospital Board, and to validate certain leases irregularly granted over parts of the said reserve:

Be it therefore enacted as follows:

- (1) The land hereinafter described is hereby vested as an endowment in the Grey Hospital Board.
- (2) All leases irregularly granted over any part or parts of such land and in existence at the date of the passing of this Act, and all transactions connected therewith, are hereby validated, and every such lease shall be deemed to have been validly issued by the said Board, and shall be construed as if the said Board were actually named therein as the lessor, and all subdivisions, assignments, and mortgages in respect of any such lease subsequent to the granting of such lease are hereby validated.
- (3) The land to which subsection (1) relates is particularly described as follows:

All that area in the Westland Land District, being part of Reserve 49, Town of Greymouth, containing by admeasurement 3 roods 37 perches, more or less: bounded towards the north-east by Marlborough Street; towards the south-east by Sections 337, 339, and 341, Town of Greymouth; again towards the north-east by said Section 341; again towards the south-east by High Street; and towards the north-west by Railway Reserve 24: as the same is more particularly delineated on a plan marked L and S 6/8/4, deposited in the Head Office, Lands and Survey Department, at Wellington, and thereon bordered blue.

103 Authorizing removal by lessee of buildings erected on Gravel Reserve 1867, Oxford Survey District, Canterbury Land District

Whereas the Oxford County Council leased to the Oxford Shearing Company Reserve No 1867, Oxford Survey Dis-

trict, vested in the said Council in trust for the purposes of a gravel-pit:

And whereas the said company, in the belief that it was entitled to remove any buildings erected by it on the said reserve, erected a wool-shed, sheep-yards, and other structures thereon:

And whereas the lease granted to the said company has been acquired by Herbert Francis Luers, with the like belief as to his power to remove the said buildings:

And whereas it is deemed equitable to grant the said Herbert Francis Luers power to remove such buildings at the termination of the lease:

Be it therefore enacted as follows:

On the expiry or other termination of the aforesaid lease the said Herbert Francis Luers may remove from the said Reserve 1867 all buildings and other structures standing thereon at the date of the passing of this Act.

104 Authorizing Summit Road Scenic Reserves Board to discharge certain liabilities incurred in connection with the acquisition of certain lands for reserves and the erection and working of rest-houses

- (1) Notwithstanding anything to the contrary in the Reserves Act 1977, the Summit Road Scenic Reserves Board constituted under that Act may, with the consent in writing of the Minister of Lands, apply the funds of the Board, not being moneys appropriated for any particular purpose, in the discharge of liabilities incurred before the passing of this Act by the Summit Road and Reserves Association (Incorporated), or by any person or persons, in connection with—
- (a) the acquisition of any land which now forms part of any reserve under the control of the Board, or which may hereafter be included in any of those reserves, or be set apart as a separate reserve; or
 - (b) the erection and repair of fences on the said land, or the supply of fencing-material for such fences; or
 - (c) the erection or repair of buildings on the said land; or

- (d) the supply of provisions, furniture, and equipment for any rest-house on the said land, or personal services rendered by any person in respect of any such rest-house.
- (2) The approval of the Minister of Lands as aforesaid may be granted in respect of any payments heretofore made by the said Board for any of such purposes, and any payments so approved shall be deemed to have been lawfully made.
- (3) The Board may also apply any portion of its funds, not being moneys appropriated for any particular purpose, in or towards the furnishing, equipment, maintenance, and upkeep of any rest-house on any lands under the control of the Board.

Section 104(1): amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

105 Cancelling reservation over Reserve 3941, Canterbury Land District, and setting the same apart as a State forest

Whereas by an Order in Council published in the *Gazette* of 12 March 1908, the control of Reserve No 3941, Block II, in the Lyndon Survey District, in the Canterbury Land District, containing by admeasurement 81 acres, more or less, being part of what is known as the Hanmer Thermal Springs Reserve, was vested in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908, to be administered under the provisions of the said Act:

And whereas it is desired to change the purpose of the reservation and the vesting of the control of the said land:

Be it therefore enacted as follows:

- (1) The reservation over the aforesaid Reserve No 3941, and the vesting of the control thereof in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908, are hereby cancelled, and the said land is hereby declared to be set apart as and for a State forest, subject to the provisions of the Forests Act 1949.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Canterbury Land District, being Section 46 and part of Section 40 (now known as Reserve No 3941), Block II, Lyndon Survey District, containing approximately

81 acres: bounded as described in the schedule to the aforesaid Order in Council published in the *Gazette* of 12 March 1908.

Section 105(1): amended, on 1 January 1950, pursuant to section 73(1) of the Forests Act 1949 (1949 No 19).

106 Cancelling reservation over Reserve 3782, Canterbury Land District, and setting the same apart as a State forest

Whereas by Order in Council published in the *Gazette* of 9 December 1909, Reserve No 3782, Block II, in the Lyndon Survey District, in the Canterbury Land District, containing by admeasurement 23 acres 1 rood 25 perches, more or less (known as the water-race reserve at Dog Creek), was declared to be subject to the provisions of the Tourist and Health Resorts Control Act 1908:

And whereas by Order in Council published in the *Gazette* of 23 February 1911, the control of the said reserve was vested in the Minister for the time being charged with the administration of the said Act:

And whereas it is desired to change the purpose of the reservation and the vesting of the control of the said land:

Be it therefore enacted as follows:

- (1) The reservation over the aforesaid Reserve No 3782 and the vesting of the control thereof in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908, are hereby cancelled, and the said land is hereby declared to be set apart as and for a State forest, subject to the provisions of the Forests Act 1949.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Canterbury Land District, being Reserve No 3782, containing approximately 23 acres 1 rood 25 perches: bounded as described in the schedule to the aforesaid Order in Council published in the *Gazette* of 23 February 1911.

Section 106(1): amended, on 1 January 1950, pursuant to section 73(1) of the Forests Act 1949 (1949 No 19).

107 Cancelling reservation over part of Reserve 2755, Canterbury Land District, and vesting the same in Corporation of Mackenzie County as a site for a power-station

Whereas by Order in Council published in the *Gazette* of 29 September 1887, Reserve No 2755, Block VII, Tangawai Survey District, containing an area of 29 acres 2 roods, more or less, was permanently reserved for recreation purposes:

And whereas by an Order in Council, published in the *Gazette* of 14 December 1893, the said reserve was declared to be subject to the provisions of the Reserves Act 1977:

And whereas that portion of the said reserve hereinafter described is found to be the most convenient site available for the power-station which it is proposed to erect as part of the hydro-electric scheme for providing the Town of Fairlie with light and power:

Be it therefore enacted as follows:

- (1) The reservation for recreation purposes over the land hereinafter described and the vesting of the control of the said land in the Fairlie Domain Board are hereby cancelled, and the said land is hereby vested in the Corporation of the County of Mackenzie in trust as a site for a power-station, and shall cease to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908.
- (2) In the event of the land hereby vested as aforesaid not being used as a site for a power-station within a period of 3 years from the date of the passing of this Act, or in the event of the said land ceasing at any time to be used for the purpose aforesaid, the Governor-General may, by Proclamation, cancel the vesting aforesaid, and declare the said land to be part of the Fairlie Domain, and to be again subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908.
- (3) Upon the issue of such a Proclamation the District Land Registrar for the Land Registration District of Canterbury, on an application in that behalf by the Minister of Lands, shall cancel any certificate of title for the land included in such Proclamation that may have then issued to the said Corporation.

- (4) The land to which subsection (1) relates is particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 12 and thirteen-fiftieths perches, more or less, and being part of Reserve No 2755, situated in Block VII, Tangawai Survey District: bounded towards the north-west by the Allendale Road, 60 links; towards the north-east by the Opihi River, 105.4 links; and towards the south-east and south-west by other part of the said Reserve No 2755, 93.3 links and 100 links respectively: as the same is delineated on the plan marked L and S 1/84, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 107: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

108 Authorizing sale of portion of site for a Government school in Township of Eldin, Otago Land District

Whereas all that area, containing 2 acres 1 rood 7 and seven-tenths perches, situated in the Township of Eldin, being Allotment 23 and part Allotment 32 on the plan of the said township, deposited in the Land Registry Office at Dunedin as No 2363, was purchased by His Majesty under section 5 of the Industrial Schools Act 1908, as a site for a Government school:

And whereas it is desired to sell to Robert Hay, of Dunedin, civil engineer, an adjoining owner, that portion of the said land hereinafter described:

Be it therefore enacted as follows:

- (1) The Governor-General, in consideration of such payment as may be deemed adequate by the Minister of Education, may, by Warrant under his hand, authorise the District Land Registrar of the Land Registration District of Otago to issue to the said Robert Hay a certificate of title in respect of the land hereinafter described.
- (2) The land to which the preceding subsection relates is particularly described as follows:

All that area in the Land District of Otago, containing by admeasurement 8 and seven-tenths perches, more or less, being part of Allotment 32, Township of Eldin, as shown on the plan

deposited in the office of the District Land Registrar, Dunedin, and numbered 2363, being part of Section 1, Block II, Anderson's Bay District, and bounded as follows: Towards the north-west by Elliot Street, 51.4 links; towards the south-east by other part of said Allotment 32, $220^{\circ}8'$, 203.1 links; towards the south-west by said other part of Allotment 32, $310^{\circ}8'$, 30 links; and again towards the north-west by Allotment 22, 161.3 links: be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 13/90/13, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**109 Authorizing Otanomomo River Board to borrow £3,000
for the purpose of paying portion of cost of certain
river-works constructed by the Minister of Public Works**

Whereas the Minister of Public Works has constructed certain protective works on the Clutha River at Otanomomo on the understanding that the Otanomomo River Board would pay the sum of 3,000 pounds towards the cost of constructing the said works:

And whereas the said works have been completed, and the said Board, not having met its obligation as aforesaid before such completion, has now no authority at law to raise a special loan in respect of such works:

And whereas it is desirable to confer such authority on the said Board:

Be it therefore enacted as follows:

The Otanomomo River Board may, by special order and without taking the steps described in sections 8 to 12 of the Local Bodies Loans Act 1913, borrow by way of special loan under that Act the sum of 3,000 pounds, and shall pay the same into the Public Account to the credit of the Public Works Fund in full satisfaction of the said Board's share of the expenditure incurred by the Minister of Public Works in connection with the construction of the said Clutha River protective works at Otanomomo.

110 Vesting in the Crown certain mining privileges in respect of water formerly held by the Last Chance Gold-mining Company (Limited)

Whereas the mining privileges in respect of water hereinafter described were held by the Last Chance Hydraulic Elevating and Dredging Company (Limited):

And whereas all the property of the Last Chance Hydraulic Elevating and Dredging Company (Limited) was transferred to the Last Chance Gold-mining Company (Limited), but no instruments of transfer of such mining privileges were registered in the Warden's Court:

And whereas the Last Chance Gold-mining Company (Limited) sold all its rights whatsoever to His Majesty:

And whereas the Last Chance Hydraulic Elevating and Dredging Company (Limited) was dissolved on 16 April 1908, and the Last Chance Gold-mining Company (Limited) was struck off the Register by notice published in the *Gazette* of 18 March 1915, and there now exists no person empowered to effect a transfer of the legal or equitable title to any property formerly owned by the said companies:

Be it therefore enacted as follows:

- (1) The mining privileges in respect of water described in subsection (3) shall vest in His Majesty as fully and effectually as if such mining privileges were formally transferred by the Last Chance Hydraulic Elevating and Dredging Company (Limited) to the Last Chance Gold-mining Company (Limited), and by the latter company to His Majesty, at the respective times that the other rights and property of the former company were formally transferred to the latter company and that the other rights of the latter company were formally transferred to His Majesty.
- (2) The Mining Registrar is hereby authorised and directed, on application in that behalf under the hand of the Minister of Mines, to register His Majesty as the proprietor of the said mining privileges in respect of water in the same manner as if properly executed instruments of transfer had been deposited for registration pursuant to section 172 of the Mining Act 1908.

- (3) The mining privileges in respect of water referred to in this section are as follows:
- (a) that conferred by certificate No 406, dated 22 August 1866: commencing in the right-hand branch of Deep Creek, 2 miles from the head of the Britannia Company's race, and terminating at Fourteen-mile Beach: length, 3 miles; number of heads, 2; and
 - (b) that conferred by certificate No 1913, dated 28 November 1870: commencing 200 yards higher up than main branch, Shingly Gully, taking 3 tributaries next in its course, and terminating at owners' water-race under certificate No 1895: length, 3 miles; number of heads, 6.

111 Authorizing Roxburgh Borough Council to sell certain land to Otago Hospital Board

Whereas the parcel of land hereinafter described is part of a recreation reserve vested in the Corporation of the Borough of Roxburgh:

And whereas it is desirable that the said land should be used for the erection of a hospital thereon, and that for such purpose the Borough Council of Roxburgh should be authorised to sell the said land:

Be it therefore enacted as follows:

- (1) The Roxburgh Borough Council is hereby empowered to sell the said land to the Otago Hospital Board, free from encumbrances, and shall expend the money received from such sale in the improvement of the remaining part of the aforesaid recreation reserve.
- (2) The land to which this section relates is particularly described as follows:

All that parcel of land situated in the recreation reserve of the Town of Roxburgh, containing 8 acres and 18 and seven-tenths perches, more or less, being Sections 28 and 29 on plan of subdivision of part of Section 33, Block II, Teviot District, deposited in the Land Registry Office, Dunedin, as No 1116, and being part of the land comprised in certificate of title, Register-book, Volume 57, folio 185.

112 Authorizing Vincent County Council to transfer a certain water-race license to certain persons

Whereas the Vincent County Council is the holder of a water-race license dated 9 February 1912, and registered in the office of the Mining Registrar at Clyde as No 848C (hereinafter referred to as the **said license**), with authority to divert 4 heads of water from Blackman's Creek:

And whereas the said water-right was purchased by the Vincent County Council for the use of certain settlers within the said County of Vincent:

And whereas the Council agreed with the said settlers that, on payment by the settlers to the Council of the purchase-money and interest thereon and all other charges incurred by the Council in connection with the said water-race, the Council would transfer the said water-rights to the said settlers:

And whereas the settlers have paid to the Council the purchase-money, interest, and all other charges as aforesaid, and the Council is now desirous of transferring the said water-rights to the settlers:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 123 of the Mining Act 1908, the Vincent County Council is hereby authorised, with the previous consent of the Governor-General in Council, and subject to such terms and conditions as the Governor-General in Council may prescribe in respect of water from the said water-race in excess of the requirements of the settlers herein referred to, to transfer to the settlers hereinbefore referred to the said water-race and the said license.
- (2) On the registration of the transfer of the said license with the Mining Registrar at Clyde, in accordance with the provisions of the Mining Act 1908, the interest of the Corporation of Vincent County in the said water-race shall vest in the transferees named and described in the said transfer, their executors, administrators, and assigns, with the same rights and subject to the same liabilities as the said Corporation had therein, and subject also to any terms and conditions prescribed by Order in Council as aforesaid:

provided that if His Majesty shall at any future time construct comprehensive irrigation works in the locality, he may, by giving 1 month's notice, acquire the said license by purchase, and the owners of the said license shall sell the same to His Majesty on the following conditions:

- (a) His Majesty shall provide them, at such annual water rental as may be fixed by the Governor-General, with a quantity of water not less than that to which they were entitled under the said license.
- (b) the total amount of such purchase-money for the said license shall be such that the interest thereon at the rate of 5 per centum per annum shall be equal to the annual water rental on 1.5 heads of water, at the rate of water rental fixed by the Governor-General, less the annual cost to such owners of maintaining the intakes, gauge-boxes, and races held under the said license.

113 Authorizing amendment of instruments of title in respect of Invercargill Rifle Range

Whereas the land described in memorandum of transfer No 46655, and certificate of title, Volume 113, folio 83 (hereinafter referred to as the **said instruments**), registered in the Southland Land Registry, is vested in His Majesty in fee-simple, subject to the condition stated in the said instruments:

And whereas it is desirable to amend the said instruments by substituting for the condition aforesaid the condition hereinafter set forth:

And whereas the Invercargill Borough Council, on behalf of the Corporation of the Borough of Invercargill, by which the said land was transferred to His Majesty, has agreed to such amendment:

Be it therefore enacted as follows:

The District Land Registrar for the Land Registration District of Southland is hereby empowered and directed, when so requested in writing by the Minister of Defence, to do all things necessary to amend the said instruments by omitting the condition on which the said land was transferred to and vested in His Majesty, and substituting the following condition, namely:

“Subject to the condition that the said parcel of land shall be used for the purposes of and in connection with a rifle range, and if at any time the same is found to be unsuitable for or is not required for such purposes, the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Invercargill shall have the right to purchase the same at a price to be fixed by arbitration, in accordance with the provisions of the Arbitration Act 1908, by 2 valuers, one to be appointed by each party, or in the event of their failing to agree, then by an umpire to be appointed by such arbitrators before entering upon their valuation:

“provided always that fixtures and erections appertaining to the rifle range, also all other fixtures and erections made or erected without the approval in writing of the Corporation, shall be excepted from the valuation, and that such rights shall be open to the said Corporation for a period of 6 calendar months, after notice in writing being served upon the said Corporation, but shall absolutely end if not accepted within that period.

“Nothing herein shall prevent the Crown from using the land in any manner it deems fit during such time as a rifle range is situated thereon and *bona fide* and substantially used as a rifle range, or, in the event of the Corporation exercising the right to purchase the land, prevent the Crown from removing therefrom all fixtures and erections appertaining to the rifle range and all other fixtures excepted from the valuation aforesaid.”

114 Validating certain expenditure out of loan-moneys by Southland Electric-power Board, and authorizing Board to vary apportionment of such moneys

Whereas the Southland Electric-power Board constituted under the Electric-power Boards Act 1918 (hereinafter referred to as the **Board**), has been duly authorised to raise a loan of 1,500,000 pounds for the purpose of generating and distributing electric energy throughout the Southland Electric-power District from Monowai River and Lake:

And whereas in the notice published by the Board in accordance with section 9 of the Local Bodies’ Loans Act 1913, it was stated that the loan-moneys were to be applied in the man-

ner set out in subsection (5), and the raising of the said loan was authorised on that understanding:

And whereas the Board, in carrying out the undertaking for which authority to raise the said loan was given, has found it impracticable to apply the said moneys strictly as in the manner set out, and, in particular, has expended moneys upon lands, roads, and bridges in excess of the amount set out in the said notice:

And whereas it is deemed advisable to validate the said expenditure, and, as to future expenditure, to enable the Board to apply the proceeds of the said loan in such manner and in such proportions amongst the parts or objects of its undertaking set out in subsection (5) as are fixed by the Board from time to time with the approval of the Minister of Public Works:

Be it therefore enacted as follows:

- (1) The Southland Electric-power Board shall at all times be deemed to have been authorised to expend all moneys which have been expended by the Board up to the passing of this Act for that part of its undertaking described as **lands, roads, and bridges** in the said notice published under section 9 of the Local Bodies Loans Act 1913.
- (2) Notwithstanding the notice published by the Southland Electric-power Board in accordance with section 9 of the Local Bodies Loans Act 1913, as to the application of the proceeds of the said loan, the Board is hereby authorised and empowered to appropriate and apply the proceeds of the said loan in such manner and in such proportion amongst the parts or objects of its undertaking enumerated in subsection (5) as the Board may from time to time decide with the approval of the Minister of Public Works.
- (3) The repayment by the Board prior to the passing of this Act out of the proceeds of the said loan of moneys borrowed by the Board pursuant to section 44 of the Finance Act 1920, is hereby declared to have been lawfully made.
- (4) The validity of the security for the said loan shall not be questioned on the ground that the proceeds of the said loan or any part of such proceeds have been or are to be expended in accordance with subsection (2), and not in accordance with the

said notice published by the Board under section 9 of the Local Bodies Loans Act 1913.

- (5) The manner of the application of the loan-moneys as set out in the notice published by the Board in accordance with section 9 of the Local Bodies Loans Act 1913, is as follows:
- (a) 235,000 pounds for generation works, made up as follows: Lands, roads and bridges, 15,000 pounds; Lake Monowai control, 15,000 pounds; intake service, reservoir, etc, 25,000 pounds; pipe-lines, surge-pipes, valves, etc, 75,000 pounds; power-house, buildings, and machinery, 80,000 pounds; engineering and contingencies, 25,000 pounds.
 - (b) 90,000 pounds for transmission—48 miles of double line and 48 miles of single line.
 - (c) 35,000 pounds for 3 main substations at Winton, Waikiwi, and Maitā, or at such other places as the Board may decide.
 - (d) 40,000 pounds for steam stand-by plant.
 - (e) 800,000 pounds for 2 000 miles of distribution pole-lines.
 - (f) 300,000 pounds for future additions and extensions, and for financing consumers and trading.

115 Authorizing Invercargill Borough Council to sell surplus electric power to Southland Electric-power Board

The Invercargill Borough Council is hereby empowered to contract with the Southland Electric-power Board for the supply of electricity to the Board as if the said Board were the local authority of an adjoining district within the meaning of section 282 of the Municipal Corporations Act 1920.

116 Changing purpose of reservation of certain education reserves in the Town of Lumsden

Whereas by section 4 of the Education Reserves Act Amendment Act 1882, Sections 7, 8, and 14, Block XVII, Town of Lumsden, containing an area of 3 roods, more or less, were set apart as endowments for primary education, and Sections 10 and 13, Block XVII, Town of Lumsden, containing an area

of 1 acre, more or less, were set apart as endowments for secondary education:

And whereas there appears to be no prospect of revenue being derived from the said endowments, and it is desired to dispose of them in the manner hereinafter appearing:

Be it therefore enacted as follows:

The reservation over the lands hereinbefore described is hereby cancelled, and the said lands are hereby vested in the Lumsden Town Board in trust, without power of sale, as a site for public baths.

117 Enlarging and redefining Broadwood Domain, North Auckland Land District

Whereas by a notice published in the *Gazette* of 18 September 1913, Section 16 (formerly part of Section 1), Block VIII, Whangape Survey District, containing 21 acres 1 rood 6 perches, was permanently reserved for a public recreation-ground:

And whereas by an Order in Council published in the *Gazette* of 23 October 1913, the said recreation-ground was declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, under the designation of the Broadwood Domain:

And whereas the description of the said domain as set out in the aforesaid notice and Order in Council is incorrect, and it is desired to amend such incorrect description and to increase the area of the domain as hereinafter appears:

Be it therefore enacted as follows:

- (1) The land hereinafter described is hereby declared to be permanently reserved for recreation purposes, to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, under the designation of the Broadwood Domain, and to be under the control of the Broadwood Domain Board.
- (2) The land to which the preceding subsection relates is particularly described as follows:

All that area in the North Auckland Land District, being Section 71, Block II, Whangape Survey District, containing by admeasurement 41 acres 3 roods, more or less, and bounded

as follows: commencing at the north-western corner of Te Awaroa No 1A 2B Block; towards the south-east by said block, 2137.6 links, to a public road; thence by the said public road, 340.3, 428.6, 402.9, 799.3, 338.4, 273.4, 412.2, and 151.7 links respectively, to its junction with another public road; thence towards the south, west, and north generally by the last-mentioned public road, 181.1, 219, 284.4, 251.8, 233.8, 126.2, 570.9, 411.0, 1449.3, 403.6, 147.2, 96, 117, 241.4, 204.9, 460.1, 1041.8, 85, 655.5, and 441.7 links respectively, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 1/508, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

118 Authorizing New Zealand Mission Trust Board to dedicate certain roads in North Auckland Land District

- (1) It shall be lawful for the New Zealand Mission Trust Board (hereinafter termed the **Mission Board**) to dedicate, upon such terms as may be agreed on by the Mission Board and the Bay of Islands County Council, certain roads forming part of the land in certificate of title, Volume 48, folio 293, of the register of the Auckland Land Registration District, and shown on the plan of subdivision of such land, and as part of such agreement, notwithstanding any provision of law to the contrary, the area marked **recreation reserve** upon such plan of subdivision, and containing approximately 16 acres, shall, upon the acceptance of such dedication, be and become vested in His Majesty as a public recreation reserve.
- (2) It shall also be lawful for the Mission Board to transfer to His Majesty such other portion of the land mentioned in the said certificate of title as the Mission Board may determine to set aside as an additional recreation reserve.

119 Compensation paid to lessee of Primary Education Reserve No 17, Parish of Puni, to be a charge on the Primary Education Endowments Deposit Account

Whereas an amount of 5,100 pounds has been paid out of the Consolidated Fund to the late lessee of Primary Education Reserve 17, Parish of Puni, in the North Auckland Land Dis-

trict, as compensation for improvements effected on the said reserve:

And whereas it is desirable that provision should be made for refunding to the Consolidated Fund the said amount, and for apportioning such amount over the subdivisions of the said reserve:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Education Reserves Act 1908, or any other Act, there shall be transferred from the Primary Education Endowments Deposit Account to the Consolidated Fund the sum of 5,000 pounds, being the amount of such compensation as aforesaid.
- (2) Whenever the said education reserve, or portion or portions of it, are offered for selection under any statutory authority the then value of the aforesaid improvements, or so much of them as are situated on the portion or portions offered, shall be recovered, either by the lessee paying the amount in cash or executing a mortgage in favour of His Majesty for payment over such period and at such rate of interest and subject to such covenants and conditions as the North Auckland Land Board determines.
- (3) *[Repealed]*
- (4) *[Repealed]*

Section 119(2): replaced, on 22 December 1933, by section 25 of the Reserves and other Lands Disposal Act 1933 (1933 No 45).

Section 119(3): repealed, on 22 December 1933, by section 25 of the Reserves and other Lands Disposal Act 1933 (1933 No 45).

Section 119(4): repealed, on 22 December 1933, by section 25 of the Reserves and other Lands Disposal Act 1933 (1933 No 45).

120 Authorizing exchange for private land of land comprised in a certain State forest in Motatau and Mangakahia Survey Districts, North Auckland Land District

Whereas by a Proclamation in the *Gazette* of 6 July 1906, all that area of land in the North Auckland Land District, containing 576 acres, more or less, being Section 1, Block XVI, Motatau Survey District, and Section 47, Block IV, Mangakahia Survey District, was permanently reserved as and for a State forest:

And whereas the said State forest is no longer required for forest purposes:

Be it therefore enacted as follows:

- (1) The Governor-General may, in the name and on behalf of His Majesty, exchange with any person or persons the whole of the State forest reserve hereinbefore referred to for any area of forest land situated within a radius of 10 miles of the said State forest.
- (2) If the value of the forest land accepted in exchange is less than the value of the aforesaid State forest, the Commissioner of State Forests may accept as equality of exchange such sum of money as may be mutually agreed on, and such money shall be paid to the credit of the State Forests Account.
- (3) The Governor-General may do or cause to be done all such acts and things, and make, sign, or execute all such instruments, as may be necessary to effectuate any such exchange.
- (4) Any land obtained in exchange as aforesaid by His Majesty shall be deemed to be set apart as a State forest and to be subject to the provisions of the Forests Act 1949.

Section 120(4): amended, on 1 January 1950, pursuant to section 73(1) of the Forests Act 1949 (1949 No 19).

121 Conferring on Governor-General further powers of leasing with respect to Snell's Beach (Mahurangi) Kauri-gum Reserve

Whereas by an Order in Council published in the *Gazette* of 5 September 1907, the land therein described was set apart as a kauri-gum reserve under the Kauri-gum Industry Act 1898:

And whereas it is deemed expedient, notwithstanding anything contained in section 129 of the Harbours Act 1908, to dispose of portion of the said land by way of lease under section 3 of the Kauri-gum Industry Amendment Act 1915:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary contained in section 129 of the Harbours Act 1908, or any other Act, the provisions of section 3 of the Kauri-gum Industry Amendment Act 1915, may be applied to any portion of the aforesaid land over which the Governor-General, in exercise of the power conferred on

him by section 46 of the Land Laws Amendment Act 1913, may see fit to revoke the existing reservation.

122 Validating covenants as to compensation for improvements contained in certain leases granted by Auckland Harbour Board

Whereas by section 8 of the Auckland Harbour Board Empowering Act 1900, it is enacted that the validity of any lease made by the Auckland Harbour Board before the passing of that Act shall not be questioned by reason merely that the statutory provisions have not been strictly observed, and all obligations on the part of the Board and its lessees respectively therein contained shall be, and be deemed to have been, binding on the part of the Board and its lessees:

And whereas in respect of certain of such leases the said Board had, by deeds of covenant with the lessees, agreed that, in consideration of the covenants on the part of the lessees therein contained, it would at the expiration of the respective terms held by such lessees pay to them one-half of the value of all buildings then upon the lands affected:

And whereas, notwithstanding the provisions of the said section 8 of the Auckland Harbour Board Empowering Act 1900, doubt has arisen as to the validity of such covenants as aforesaid, and it is desirable to validate the same:

Be it therefore enacted as follows:

All leases, deeds of covenant, or agreements executed under the seal of the Auckland Harbour Board prior to the passing of the Auckland Harbour Board Empowering Act 1900, whereby any lessee of lands held from the Board shall have been granted the right to claim compensation for improvements, shall be, and be deemed to have been, valid and binding upon the Board.

123 Validating certain expenditure by Newmarket Borough Council, and authorizing exchange of certain lands between that Council and the Crown

[Repealed]

Section 123: repealed, on 11 September 1926, by section 4(4) of the Reserves and other Lands Disposal Act 1926 (1926 No 62).

**124 Authorizing Manukau County Council to grant to
General Trust Board of Diocese of Auckland a lease of
portion of Section 48, Village of Mangere**

[Repealed]

Section 124 was repealed, as from 31 October 1922, by section 12(4) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 (1922 No 50).

**125 Validating a poll taken by Thames Borough Council on a
proposal to borrow £70,350**

Whereas on 30 November 1920, the Thames Borough Council caused a poll of the ratepayers of the Borough of Thames to be taken on a proposal to borrow by way of special loan under the Local Bodies' Loans Act 1913, a sum of 70,350 pounds for street improvements and other purposes, including a refund to the District Fund Account of moneys expended for certain purposes:

And whereas such proposal was declared to be duly carried, but doubts have arisen as to the validity of the said poll:

Be it therefore enacted as follows:

The poll hereinbefore referred to shall be deemed to have been lawfully taken, and the aforesaid Thames Borough Council is hereby empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, the said sum of 70,350 pounds, or such part thereof as it thinks fit, at such rate of interest as may be approved by the Governor-General in Council, and to refund to its District Fund Account the moneys expended thereout on the works set forth in proposal number 10 on the ballot-paper used at such poll.

Section 125: amended, on 1 April 1957, pursuant to section 135(1) of the Local Authorities Loans Act 1956 (1956 No 63).

**126 Restricting removal of gravel or shingle from bed of
Waipa River in the vicinity of Otorohanga Railway
Reserve**

- (1) It shall not be lawful for any person, except with the consent in writing of the Minister of Railways, to remove gravel or shingle from any part of the bed of the Waipa River situate within a distance of 1 chain from the boundary of the railway

reserve at Otorohanga lying between a point at mileage 113 miles 70 chains and a point at mileage 114 miles 44 chains on the Auckland-Marton Railway.

- (2) Every person who commits an offence against this section is liable on conviction to a fine of 10 pounds for each day on which such offence is committed.

Section 126(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

127 Closing road along Mangakakahi Stream, Auckland Land District, and authorizing disposal thereof

Whereas the road along the Mangakakahi Stream (hereinafter described) is no longer required for the purpose for which it was intended, and it is desirable to close the same, and to dispose of the land comprised therein under the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the hereinafter-described river-bank road is hereby closed, and the land comprised therein is hereby declared to be Crown land available for disposal under the Land Act 1948.
- (2) The road hereby closed is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 2 acres 3 roods 20 perches, more or less: bounded towards the north-west by the Mangakakahi Stream; towards the north-east by Tauranga-Rotorua Main Road; towards the south-east by Sections 1, 2, 4, 6, 8, 10, and 12, Block I, Kakahi Village, and Section 27, Block IV, Rotorua Survey District; and towards the south-west by Roy Road:

Also all that area in the Auckland Land District, containing by admeasurement 1 acre 2 roods 15 perches, more or less: bounded towards the north by the Mangakakahi Stream; towards the east by Section 13, Block IV, Rotorua Survey District; towards the south by a road to be closed, and by Sections 13, 11, 9, 7, 5, and 1, Block III, Kakahi Village; and towards the west by the Tauranga-Rotorua Main Road:

As the same are more particularly delineated on plan marked L and S 9/1088, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

Section 127: amended, on 1 April 1949, pursuant to section 185(1) of the Land Act 1948 (1948 No 64).

128 Authorizing Taranaki Land Board to accept surrenders of leases of Primary Education Reserves 29 and 36, Block XIV, Ngaire Survey District, and to grant 1 new lease in lieu thereof

The Taranaki Land Board is hereby authorised and empowered, on application in that behalf by the lessee of Primary Education Reserves 29 and 36, Block XIV, Ngaire Survey District, to accept surrenders by the said lessee of his leases of the said reserves, and to issue to the said lessee 1 new lease over such reserves for a term of 21 years from 1 July 1919, at the aggregate annual rent reserved by the 2 existing leases, and subject to the same terms and conditions as are incorporated in the said existing leases.

129 Authorizing Masterton Borough Council to grant a certain lease of Run No 27, Block III, Tiffin Survey District

Whereas Run No 27, Block III, Tiffin Survey District, known as **Big Island** in the Waingawa River, Wellington Land District, is vested in the Masterton Borough Council in trust as a reserve for water-supply purposes:

And whereas the land comprised therein was let by way of lease by the said Council to one Edward William Peters, of Masterton, farmer, upon terms which conflict with restrictions upon leasing of lands vested in the Corporation of any borough, contained in section 161 of the Municipal Corporations Act 1920:

And whereas, acting in good faith and in the belief that such lease was valid, the said lessee has effected improvements on the said land to the value of some 600 pounds:

And whereas it is deemed equitable to empower the said Council to grant to the said lessee a lease as hereinafter appearing:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, the Masterton Borough Council may grant to the said Edward William Peters

a lease of the said land for a term expiring not later than 12 November 1942, at an annual rental of 31 pounds.

- (2) The said Edward William Peters shall not be entitled to a renewal of such lease or to compensation for any improvements on the land effected by him.

130 Vesting control of Hanmer Thermal Springs Reserve in Minister of Health

The Tourist and Health Resorts Control Act 1908, shall hereafter with respect to the Hanmer Thermal Springs Reserve be construed as if references therein to the Minister were references to the Minister of Health, and as if references to the General Manager of Tourist and Health Resorts were references to the Director-General of Health.

131 Vesting Kaiapoi Domain in Kaiapoi Borough Council as a municipal endowment

Whereas by an Order in Council dated 22 October 1906, published in the *Gazette* of 25 October 1906, the Kaiapoi Borough Council was appointed to be the Kaiapoi Domain Board to have (subject to the Acts in force affecting the same) control of the lands hereinafter described, called the Kaiapoi Domain: And whereas it is desirable to vest the said lands in the Kaiapoi Borough Council for municipal purposes subject to a certain portion thereof being held as a public reserve for recreation purposes:

Be it therefore enacted as follows:

- (1) The areas of land hereinafter described are hereby vested in fee-simple in the Corporation of the Borough of Kaiapoi for municipal purposes.
- (2) The Kaiapoi Borough Council shall set aside a portion of the said land of not less than 30 acres as a public reserve for recreation purposes.
- (3) The lands to which this section relates are more particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 138 acres, more or less, being Reserve No 3731, in red (formerly part of Reserve 1579), situate in Blocks

XII and XVI, Rangiora Survey District: bounded towards the north by the road forming the southern boundary of Reserve No 3728; towards the east by the western boundary of the Beach Reserve, the same being distant 20 chains from the high-water mark of the ocean; towards the south by Reserve No 3658; and towards the west generally by Saltwater Creek, by part of the south-east and north-east boundaries of Rural Section 13686, by the road forming the north-west and north-east boundaries of Rural Sections 13686 and 22534, and by the southern and eastern boundaries of Rural Sections 11361 and 11323, to the point of commencement:

Also all that area in the Canterbury Land District, containing by admeasurement 122 acres, more or less, being Reserve No 3658, in red (formerly part of Reserve 1579), situate in Block XVI, Rangiora Survey District: bounded towards the north-west by a line, the same being the north-west boundary of Rural Section 9560 produced in a north-easterly direction to a point distant 20 chains from the high-water mark of the ocean, the said point being the western boundary of the beach reserve; thence towards the east by the beach reserve; towards the south generally by the road reserve along the northern bank of the Waimakariri River; thence towards the west generally by the Saltwater Creek to the point of commencement.

132 Making provision for the sale of Rhodes Park Domain, Canterbury Land District, and the acquisition of a new domain

Whereas by Proclamation published in the *Gazette* (Volume 63, page 2634) of 2 July 1914, the lands described in subsection (8) were declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, under the name of **Rhodes Park Domain** (hereinafter referred to as the **existing domain**):

And whereas by Proclamation published in the *Gazette* of 6 August 1914, the Rhodes Park Domain Board (hereinafter referred to as the **Board**) was appointed to have control of the existing domain for the purposes and subject to the provisions of the said Act:

And whereas the lands comprised in the existing domain are of the value of 1,400 pounds or thereabouts, and the Board has invested in its name or under its control the sum of approximately 600 pounds in cash:

And whereas the existing domain is found to be inadequate and otherwise unsuitable for the purposes for which it was set apart:

And whereas, with a view to providing a larger and more suitable area of land, Robert Macartney, of Tai Tapu, farmer, Richard May Downs Morten, of Tai Tapu, farmer, and John McKenzie, of Tai Tapu, hotelkeeper (hereinafter referred to as the **trustees**), as trustees for and on behalf of the Board, have entered into an agreement for sale and purchase with Grace Branthwaite, of Tai Tapu, widow, and Harry Branthwaite, of Christchurch, land agent, dated 6 July 1921, for the purchase of the lands described in subsection (9) (hereinafter referred to as the **proposed new domain**) for the sum of 5,534 pounds 10 shilling:

And whereas the trustees, being unable to finance the purchase of the said lands without assistance, applied to Sir Robert Heaton Rhodes, of Tai Tapu, Knight, who has agreed to provide the necessary funds for the purchase of the proposed new domain over and above the assets now under the control of the Rhodes Park Domain Board:

Be it therefore enacted as follows:

- (1) The trustees shall hold the land comprised in the proposed new domain, and all income, rents, or profits therefrom, upon trust to pay the interest on all moneys owing to the vendors and on any money borrowed for the purpose of paying deposits or making progress-payments to the vendors, and all expenses of completing the title to the proposed new domain or otherwise incurred in relation to the trust.
- (2) The Board is hereby authorised to pay to the trustees and the trustees shall apply the sum of about 600 pounds deposited on behalf of the Board with the Bank of New South Wales, and any moneys deposited in the Post Office Savings-bank on behalf of the Board, in the same manner as the income, rents, and profits mentioned in the last preceding subsection.

- (3) The Board is hereby authorised to sell the lands comprised in the existing domain on such terms and subject to such conditions as may be approved by the Minister of Lands, and to apply the proceeds of the sale in or towards payment of the purchase-money under the said agreement for sale and purchase of 6 July 1921, and the Governor-General may do or cause to be done all such acts and things, and make, sign, or execute all such instruments, as may be necessary to effectuate a sale carried out hereunder.
- (4) The said Robert Heaton Rhodes shall pay all moneys payable under the said agreement for sale and purchase, and all costs and expenses in connection therewith, save and except such as shall be provided in accordance with subsections (1), (2), and (3).
- (5) Upon completion of the said agreement for sale and purchase dated 6 July 1921, the trustees shall transfer to His Majesty the lands comprised in the proposed new domain, and upon such transfer the said lands shall be deemed to be set apart for the purposes of Part 2 of the Public Reserves and Domains Act 1908, to be known as **Rhodes Park Domain**, and shall be managed, administered, and dealt with as a public domain by the Rhodes Park Domain Board:
- (6) Upon such transfer being effected the Governor-General may, notwithstanding anything to the contrary in section 130 of the Public Works Act 1908, declare to be closed the river-bank road situated between such Rhodes Park Domain and the Halswell River, and may declare the land comprised in such closed road to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, as part of such Rhodes Park Domain and to be under the control of the Rhodes Park Domain Board.
- (7) The existing domain is hereby particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 14 acres and 17 perches, more or less, being Reserve 3946 (in red), situate in Block VI, Halswell Survey District, and comprising Rural Section 36625 and parts of Rural Sections 5765, 5815, and 5843, being all the land shown on deposit plan No 3791, Land Transfer Office, Christchurch.

- (8) The proposed new domain is hereby particularly described as follows:

All that parcel of land, situated in the Halswell Survey District, containing 2 acres and 18 perches, be the same a little more or less, being part of Rural Section 2411: commencing at a point on the south side of the Bridge Road, the said point being the point where the northern boundary of Lot 3 on deposit plan No 1418 meets the eastern boundary of the Government reserve marked “H” on the plan of the Chief Surveyor; thence south-westerly along the said reserve, 550 links; thence north-easterly by a line bearing $58^{\circ} 54'$, 764.7 links, to the west side of the road along the River Halswell; thence north-westerly along that road to its junction with the first-mentioned road; thence south-westerly along the said road, 239.2 links; and thence returning north-westerly along that road, 299.6 links, to the commencing-point:

Also all that parcel of land, situated in Block VI of the Halswell Survey District, containing 66 acres and 9 perches, more or less, being Lots 1 and 2 on deposited plan No 1418 and Rural Section 36624, and being the whole of the land comprised in certificate of title, Volume 182, folios 59 and 18, and Volume 191, folio 233.

133 Authorizing trustees of Christchurch Returned Soldiers’ Association (Incorporated) to convey certain land to that association

[Repealed]

Section 133: repealed, on 21 September 1927, by section 4(2) of the War Funds Amendment Act 1927 (1927 No 10).

134 Authorizing Courtenay Domain Board to contribute to funds of Kirwee Domain Board

Notwithstanding anything to the contrary in the Reserves Act 1977, the Courtenay Domain Board may from time to time, but subject in each case to the approval of the Minister of Lands, make grants from moneys at its disposal to the funds of the Kirwee Domain Board for the improvement of the Kirwee Domain.

Section 134: amended, on 1 April 1978, pursuant to section 125(1) of the Reserves Act 1977 (1977 No 66).

135 Including Hagley Park in Fendalton Riding of Waimairi County

Whereas the area described in subsection (2), being part of the County of Waimairi, is not included in any riding thereof, and it is desirable to include the said area in the Fendalton Riding thereof:

Be it therefore enacted as follows:

- (1) The area described in subsection (2), being that portion of the County of Waimairi known as Hagley Park, is hereby included in the Fendalton Riding of the said county, and the boundaries of that riding, with such addition as hereinbefore provided, shall be as described in subsection (3).

- (2) The said Hagley Park is hereby particularly described as follows:

All that area in the County of Waimairi bounded towards the north by the River Avon, towards the east by the City of Christchurch, and towards the south and west by the Borough of Riccarton.

- (3) The said Fendalton Riding, altered as aforesaid by the inclusion therein of the said Hagley Park, is particularly described as follows:

All that area in the Waimairi County bounded by a line commencing at the intersection of the Waimairi Stream and Clyde Road; thence proceeding northerly along said Clyde Road and easterly along Jeffrey's Road to the northernmost corner of Rural Section 242; thence southerly generally along the western boundary of the City of Christchurch to Moorhouse Avenue; thence westerly and northerly along the eastern boundary generally of the Borough of Riccarton to the River Avon; thence up the middle of the River Avon, the Wairarapa and Waimairi Streams to Clyde Road, the place of commencement.

**136 Authorizing exchange of land between trustees of
Palmerston (South) Athenaeum and Palmerston Bowling
Club**

Notwithstanding anything to the contrary in the Palmerston (South) Athenaeum Act 1876, the trustees of that athenaeum may exchange such portion of the land described in the Schedule to that Act for such portion of any adjoining land vested in William McGregor and William Beckett Galloway as trustees of the Palmerston Bowling Club as the Minister of Lands may approve.

**137 Validating remuneration of Chairman of Southland
Electric-power Board**

Whereas it is provided by section 20 of the Electric-power Boards Act 1918, as amended by section 6 of the Electric-power Boards Amendment Act 1920, that the annual remuneration of the Chairman of an Electric-power Board shall be such amount as is fixed from time to time by such Board with the approval of the Minister of Public Works:

And whereas on 25 November 1920, the Minister of Public Works approved the amount of the remuneration of the Chairman of the Southland Electric-power Board for the year commencing on 15 January 1920, fixed by such Board, and such amount has been paid:

And whereas doubts have arisen as to the effect of such approval by the Minister of Public Works in respect of remuneration for any period prior to 28 October 1920, being the date of the passing of the said Electric-power Boards Amendment Act 1920:

And whereas it is expedient to validate such payment as aforesaid:

Be it therefore enacted as follows:

The payment by the Southland Electric-power Board to the Chairman of that Board of the amount of remuneration approved by the Minister of Public Works for the period aforesaid is hereby validated and declared to have been lawfully made.

**138 Authorizing Wellington College Governors to borrow
£50,000 from the Public Trustee**

- (1) For the purpose of building a hostel, master's residence, and school class-rooms in connection with Wellington College the Governors of the Wellington College and Girls' High School, constituted under the Wellington College and Girls' High School Act 1887, may, with the consent of the Governor-General in Council, borrow from the Public Trustee (and the Public Trustee may lend to the Governors) a sum not exceeding 50,000 pounds, on the security of the rents and profits of the lands vested in the Governors, at such rate of interest, and for such term of years, and upon such conditions as the Governors, with the consent of the Governor-General in Council as aforesaid, and the Public Trustee may agree upon.
- (2) If the Public Trustee shall grant the said loan, the instrument or instruments of security may be in such form, and may confer on him such powers and remedies for raising and securing repayment of the principal and interest, and may contain such covenants, agreements, conditions, and provisions in every respect, as he shall require; and, in particular, any such instrument may empower him, in case of default of payment of any sum of interest or principal or in the performance or observance of any of the covenants, agreements, conditions, or provisions contained or implied in any such instrument, to appoint a receiver of the said rents and profits.

Section 138(1): amended, on 31 October 1922, by section 83 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922 (1922 No 50).

Schedule 1
Reserves made available for disposal
under the Land Act 1908

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|-----------|--|--|--|
| 1 | Section 56, Awakino Village, in the Auckland Land District containing 1 acre | Municipal | Notice in <i>Gazette</i> , 23 March, 1899. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|-----------|--|--|--|
| 2 | Section 4A, Block XVI, Upper Waitara Survey District, in the Taranaki Land District, containing 33 acres 2 roods, more or less | Papa-burning | Notice in <i>Gazette</i> , 18 January, 1912. |
| 3 | Section 14, Block VI, Makotuku Survey District, in the Wellington Land District, containing 1 acres 1 rood, more or less | Roadman's hut | Notice in <i>Gazette</i> , 13 July, 1899. |
| 4 | Section 7A, Block XIV, Maungakaretu Survey District, in the Wellington Land District, containing an area of 15 acres 1 rood 8 perches | Growth and preservation of timber | Notice in <i>Gazette</i> , 27 November, 1902. |
| 5 | Section 81, Block XIV, Ohinewairua Survey District (Taihape Village Settlement Extension), in the Wellington Land District, containing an area of 4 acres and 34 perches, more or less | Use of Agricultural Department | Notice in <i>Gazette</i> , 7 September, 1905. |
| 6 | Section 10, Block II, Mangawhero Survey District, in the Wellington Land District, containing 1,169 acres 2 roods, more or less | Forest | Notice in <i>Gazette</i> , 10 November, 1904. |
| 7 | Sections 58, 60, 63, 64, 65, and part of Section 62 of the Horowhenua East Village Homestead Settlement, situated in Block V, Waiopahu Survey District, in the Wellington Land District, containing by admeasurement 199 acres 3 roods 38 perches, more or less: as the same are delineated on plan marked 6/6/314, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered blue | Reformatory-site | Notice in <i>Gazette</i> , 11 September, 1902. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--------------------------------------|---|
| 8 | All that area in the Wellington Land District, containing by admeasurement 3 acres, more or less, being Section 1, Block IX, Waddington Settlement: as the same is delineated on the plan marked 42/76, and deposited in the District Lands and Survey Office, at Wellington | Public recreation-ground | Notice in <i>Gazette</i> , 5 September, 1907. |
| 9 | Sections 71 and 72, Mokihinui Village Settlement (Block XV, Mokihinui Survey District), in the Nelson Land District, containing 10 acres, more or less | Public recreation-ground | Notice in <i>Gazette</i> , 19 March, 1896. |
| 10 | Section 191 of Square 141, Block III, Kawatiri Survey District, in the Nelson Land District, containing an area of 4 acres 2 roods 19 perches, more or less | Gravel | Notice in <i>Gazette</i> , 23 February, 1905. |
| 11 | Part Section 43, Block VIII, Kawatiri Survey District, in the Nelson Land District, containing 5 acres, more or less | School-site | Notice in <i>Gazette</i> , 10 November, 1881. |
| 12 | All that area in the Marlborough Land District, containing by admeasurement 6 acres 1 rood 9 perches, more or less, being a portion of Section 13, Block I, Gore Survey District: bounded as follows—towards the north, north-east, south-east, and south generally by the remaining portion of Section 13 aforesaid for distances of 504.7 links, 780.5 links, 456.1 links, and 562 links respectively, and towards the west by Section 17, Block I, Oriieri Survey District, 983 links: be all the aforesaid linkages more or less: as | Resting-place for stock | Notice in <i>Gazette</i> , 29 October, 1891. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--|--|
| | the same is delineated on a plan marked 6—1/304A, deposited in the Head Office, Department of Lands and Survey, Wellington, and thereon bordered red | | |
| 13 | <p>All that area in the Marlborough Land District, containing by admeasurement 204 acres, more or less, being a part of Reserve A, Block XI, Puhipuhi Survey District, situated north of the Clarence River: bounded towards the north by the Main South Road, 2850 links; towards the north-east by Sections 9 and 21, Block XI aforesaid, 4189.8 links; towards the east and south generally by the public road 1 chain wide along the shores of the sea, and along the north bank of the Clarence River: and towards the west by a portion of Reserve A aforesaid, 2750 links: be all the aforesaid linkages more or less; and</p> <p>All that area in the Marlborough Land District, containing by admeasurement 373 acres, more or less, being part of Reserve A aforesaid, situated south of the Clarence River and to the east of the Main South Road: bounded towards the north, north-east, and south-east generally by the public road 1 chain wide along the south bank of the Clarence River, and along the shores of the sea; towards the south-west by part of Reserve A aforesaid, 5220 links; towards the north-west and again to the south-west by part</p> | In trust as resting-place for travellers and stock | Crown grants dated 27 January, 1866, and 10 January, 1867, to the Superintendent of the Province of Marlborough. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|---|--------------------------------------|------------------------------|
| | <p>of Reserve A aforesaid, for distances to be fixed by survey; and again towards the south-west by the Main South Road; and</p> <p>All that area in the Marlborough Land District, containing by admeasurement 309 acres, more or less, being part of Reserve A aforesaid, situated south of the Clarence River and west of the Main South Road: bounded towards the north generally by the public road 1 chain wide along the south bank of the Clarence River; towards the east generally by the Main South Road, 6306.9 links; towards, the south generally by part of Reserve A aforesaid, 7938.6 links; and towards the west generally by Small Grazing-run 111, 2917 links and 3682 links: be all the aforesaid linkages more or less: and excepting from the above description the public road traversing the said land: as the same are delineated on the plan marked L and S 22/2727, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red</p> | | |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--------------------------------------|--|
| 14 | All that area in the Canterbury Land District, containing by admeasurement 1 acre and 7 perches, more or less, being that part of Reserve No 702, situated in Block XII, Rolleston Survey District: bounded towards the north-west by Bealey's Road, 190.5 links; towards the east generally by Section 2919, 360 links, 185 links, 122 links, 295 links, 100 links, 100 links, and 96 links; towards the south-east by other part of the said Reserve 702, 151.1 links; and towards the south-west by a closed road, 1181.2 links: as the same is delineated on the plan marked L and S 6/1/6, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow | Prison | Warrant in <i>Gazette</i> , 31 August, 1916. |
| 15 | All that area in the Otago Land District, containing by admeasurement 3 roods 18 perches, more or less, being part of Section 81, Block XII, Lower Hawea Survey District, and bounded as follows: commencing at the western corner of Section 81, Block XII, Lower Hawea Survey District; towards the north-west and north-east by Crown land, 61° 27' 30", 818.7 links; 151° 27' 30", 82 links: towards the south-east by the other part of said Section 81, 240° 26', 442.3 links; 229° 58', 384.4 links: and towards the south-west by a public road, 331° 27' 30", 166.3 links, to the point of commencement: be all the aforesaid linkages more or | Gravel | Notice in <i>Gazette</i> 13 December, 1883. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--|---|
| | less: as the same is delineated on the plan marked L and S 26/22534, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red | | |
| 16 | Sections 8 and 11, Block VII, Tarras Survey District, in the Otago Land District, containing an area of 12 acres 1 rood, more or less | Bridge reserve | Notice in <i>Gazette</i> , 5 July, 1883. |
| 17 | Section 65, Block X, Leaning Rock Survey District, in the Land District of Otago, containing 6 acres 1 rood 9 perches, more or less | Use of Agricultural Department | Notice in <i>Gazette</i> , 27 August, 1903. |
| 18 | Section 5, Block VII, Tiger Hill Survey District, in the Otago Land District, containing 20 acres, more or less | Camping-reserve for carriers | Notice in <i>Gazette</i> , 22 August, 1901. |
| 19 | Sections 14, 15, 16, Block VIII, Rankleburn Survey District, in the Land District of Otago, containing 65 acres 2 roods 30 perches, more or less | Scenery reserve | Proclamation in <i>Gazette</i> , 26 May, 1910. |
| 20 | Section 18, Block XI, Woodland Survey District, in the Otago Land District, containing 10 acres 1 rood, more or less | Site for a public school | Notice in <i>Gazette</i> , 30 April, 1908. |
| 21 | Allotment 35, Township of Cranston, in the Otago Land District, containing 22.9 perches, more or less | Site for drill-shed and Volunteer purposes | Clause 44 of Schedule to the Special Powers and Contracts Act 1886. |
| 22 | Sections 32 and 33, Block II, Town of Alexandra, in the Land District of Otago | Site for a telegraph-station | Order in Council in <i>Gazette</i> , 6 April, 1876. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|---|--------------------------------------|---|
| 23 | All that area in the North Auckland Land District, containing by admeasurement 7 acres 3 roods 38 perches, more or less, being part of a forest reserve as described in <i>Gazette</i> No 61 of the 28th July, 1881, page 960, and being Section 12, situated in Block XIV, Mangakahia Survey District: as the same is delineated on a plan marked L and S 1911/1299, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red | Growth and preservation of timber | Warrant in <i>Gazette</i> , of 28 July, 1881. |
| 24 | All that area in the North Auckland Land District, containing by admeasurement 40 acres, more or less, and being part of a forest reserve as described in <i>Gazette</i> No 61 of the 28th July, 1881, page 960, situated in Block XIII, Mangakahia Survey District, and bounded as follows: commencing at a point where the north-eastern boundary of the Kirikopuni Road intersects the south-eastern boundary of the Te Karaka Block, and bounded towards the north-east generally by said boundary of that road to its intersection with the northern boundary of a State forest reserve as described in <i>Gazette</i> No 40 of the 30th June, 1887, page 839, situated in Blocks XIII and XIV aforesaid; thence towards the south generally by the said State forest reserve to the south-eastern boundary of the Te Karaka | Growth and preservation of timber | Warrant in <i>Gazette</i> , 28 July, 1881. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--------------------------------------|--|
| | Block; and thence towards the north-west generally by the said Te Karaka Block to the point of commencement: as the same is delineated on a plan marked L and S 1911/1299, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red | | |
| 25 | All that area in the North Auckland Land District, containing by admeasurement 1,340 acres, more or less, and being part of a forest reserve as described in <i>Gazette</i> No 61 of the 28th July, 1881, page 960, situated in Block XIV, Mangakahia Survey District, and bounded as follows: commencing at a point where the western boundary of an area of Crown land, containing 427 acres, situated in Block XIV aforesaid, intersects the Mangatipa Road, and bounded towards the north and east generally by the said area of Crown land to a public road forming the western boundary of Section 2, Block XV, Mangakahia Survey District; thence by a right line to the northernmost point of the Maungaru Block; thence towards the south-east generally by the said Maungaru Block to the Kirikopuni Road; thence towards the west generally by State forest reserve as described in <i>Gazette</i> No 40 of the 30th June, 1887, page 839, situated in Blocks XIII and XIV, Mangakahia Survey District, to the south- | Growth and preservation of timber | Warrant in <i>Gazette</i> , 28 July, 1881. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|---|--------------------------------------|---|
| 26 | <p>ern boundary of Section 1, Block XIV, Mangakahia Survey District, by that section and the western boundary of Mangatipa Road to the point of commencement: as the same is delineated on a plan marked L and S 1911/1299, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red</p> <p>All that area in the North Auckland Land District, containing by admeasurement 3,676 acres, more or less, and being part of a State forest reserve as described in <i>Gazette</i> No 40 of the 30th June, 1887, page 839, situated in Block XIII and XIV, Mangakahia Survey District, and bounded as follows: commencing at a point where the southern boundary of a forest reserve as described in <i>Gazette</i> No 61 of the 28th July, 1881, page 960, intersects the south-eastern boundary of the Te Karaka Block, and bounded towards the north generally by the said boundary of the last-mentioned forest reserve to and across the Kirikopuni Road, by the southern boundary of Section 1, Block XIV, Mangakahia Survey District, to a point where it intersects the southern boundary of the last-mentioned forest reserve; again by that forest reserve to and across the Mangatipa Road, and again by the last-mentioned forest reserve to its western boundary; thence towards the</p> | State forest | Proclamation in <i>Gazette</i> , 30 June, 1887. |

| No | Description of lands | Purposes for which lands reserved | Instrument of reservation |
|----|--|--|--|
| | <p>east generally again by the last-mentioned forest reserve to the north-western boundary of the Maungaru Block at a point where the said boundary of that block is intersected by the north-eastern boundary of the Kirikopuni Road, by a right line across said road, and by the Maungaru Block to the northern boundary of the Maungaru Survey District, by the said boundary of that district to the Tangowahine Stream; thence towards the west generally by the said Tangowahine Stream to a point which would intersect the production of the southern boundary of the Te Karaka Block, by a right line across the said stream; thence by the said Te Karaka-Block, the crossing of the aforesaid Tangowahine Stream, and a public road, and again by the said Te Karaka Block to the point of commencement: as the same is delineated on a plan marked L and S 1911/1299, deposited in the Head Office, Department of Lands and Survey, in Wellington, and thereon bordered red</p> | | |
| 27 | <p>All that area in the Otago Land District, containing 1 acre 1 rood 14 perches, more or less, being Sections 1, 2, 48, 49, and 50, Block I, Town of Bastings, known as the Bastings Domain</p> | <p>Recreation reserve (subject to the provisions of the Public Domains Act 1881)</p> | <p>Notice in <i>Gazette</i>, 9 June, 1904. Order in Council in <i>Gazette</i>, 22 September, 1904.</p> |

Schedule 2

s 3.

Purposes of reserves changed

| First column | | Second column | Third column |
|----------------------|--|---|---|
| Description of lands | | Original purpose and instrument of reservation | Substituted purpose |
| No | | | |
| 1 | All that area in the North Auckland Land District, containing by admeasurement 1 acre and 30 perches, more or less, being that part of Section 28, Block IX, Omapere Survey District, which is bounded as follows: commencing at a point on a public road at the north-western corner of Section 60, Parish of Okaihau—bounded towards the north-east by the aforesaid Section 60 to the Utakura River, 493 links; thence towards the south generally by the right bank of the Utakura River to a public road; thence towards the south and north-west generally by the said road, 728.4 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 6/5/80, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red | Quarry. Notice in <i>Gazette</i> , 7 July, 1887 | Resting-place for travelling stock. |
| 2 | Section 1A, Block XVI, Rotoiti Survey District, in the Auckland Land District, containing by admeasurement 68 acres, more or less | Provisional State forest. Proclamation in <i>Gazette</i> , 8 July, 1920 | Scenery (subject to the provisions of the Scenery Preservation Act 1908). |

| | First column | Second column | Third column |
|----|---|---|---------------------------|
| No | Description of lands | Original purpose and instrument of reservation | Substituted purpose |
| 3 | All that area of land in the Hawke's Bay Land District, containing by admeasurement 4 acres, more or less, being part of Section 2, Block III, Waiau Survey District: bounded towards the north-west by the aforesaid Section 2, a distance of 800 links; towards the north-east by said Section 2, a distance of 500 links; towards the south-east by said Section 2, a distance of 800 links; and towards the south-west by a public road, a distance of 500 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 6/6/289, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red | Use and support of Urewera and Ngateruapani tribes of aboriginal Natives. Notice in <i>Gazette</i> , 30 April, 1885 | Site for a Native school. |
| 4 | All that area in the Marlborough Land District, containing by admeasurement 1 acre 2 roods 20 perches, more or less, being a portion of Section 13, Block I, Gore Survey District: bounded as follows—towards the north, north-west, and north-east generally by remaining portion of Section 13 aforesaid, 562 links, 456.1 links, and 150 links respectively; towards the south-east and south generally by the public road 1 chain wide from high-water mark along the shores of Waitaria Bay; and towards the west by Section 17, Block I, Oriieri Survey | Resting-place for stock. Notice in <i>Gazette</i> , 29 October, 1891 | Road reserve. |

| | First column | Second column | Third column |
|-----------|---|---|--------------------------------|
| No | Description of lands | Original purpose and instrument of reservation | Substituted purpose |
| | District, 431.5 links: be all the aforesaid distances more or less: as the same is delineated on a plan marked 6-1/304B, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red | | |
| 5 | All that area in the Canterbury Land District, containing by admeasurement 2 roods, more or less, and being portion of Reserve 2856, situated in Block XI, Selwyn Survey District: bounded towards the north-west by other part of the said Reserve 2856, 999.8 links; towards the north-east by a public road, 50 links; towards the south-east by Reserve 1286, 999.9 links; and towards the south-west by Lot 3 of Reserves 1808 and 1809, 50 links: as the same is delineated on the plan marked L and S 22/2906, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red | Gravel. Notice in <i>Gazette</i> , 17 March, 1890 | Railway reserve. |
| 6 | All that area in the Auckland Land District comprised in that part of Allotment 89, Parish of Onewhero, containing 2 roods, more or less, which is now known as Allotment 184, Parish of Onewhero: bounded towards the east by a public road, 320.7 links; owards the south and south-west by Allotment 89, Recreation Reserve, Parish of Onewhero, | Recreation reserve. Section 27 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 | Site for a post-office. |

| | First column | Second column | Third column |
|-----------|---|---|--------------------------------|
| No | Description of lands | Original purpose and instrument of reservation | Substituted purpose |
| | 155.4 and 155.6 links respectively; and towards the north-west by a public road, 320.7 links: be all the afore-said linkages more or less: as the same is delineated on plan marked L and S 1/499, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red | | |

Schedule 3

s 18.

All those portions of road in the Auckland Land District, Borough of Paeroa, comprising 2 roods 4.2 perches, adjoining or passing through Huepakari No 1, and 1 acre 3 roods 7.6 perches, adjoining or passing through Huepakari No 1, Ouekaharau A and Ouekaharau B, situated in Block XVI, Waihou Survey District: as the same are more particularly delineated on the plan marked PWD 43166 (SO 19784), deposited in the office of the Minister of Public Works, at Wellington, and thereon coloured green.

Schedule 4

s 18.

All those portions of land in the Auckland Land District, Borough of Paeroa, comprising 24.7 perches, 1 acre 1 rood 14.7 perches, and 3.8 perches, coloured yellow; 27.1 perches, 21.5 perches, 0.8 perch, and 1 rood 16.8 perches, coloured red, being portions of Huepakari No 1; 1 rood 33.1 perches, coloured red, and being portion of Ouekaharau A; and 24.4 perches, coloured blue, being portion of Ouekaharau B; situated in Block XVI, Waihou Survey District: as the same are more particularly delineated on the plan marked PWD 43166 mentioned in Schedule 3, and coloured as above mentioned.

Schedule 5

s 18.

All those portions of land in the Auckland Land District, Borough of Paeroa, comprising 1 acre 1 rood 8 perches, coloured red, being portion of Stop-bank Reserve, Block XII; 13 perches, coloured yellow, being portion of Huepakari No 1 DP 6577, Blocks XII and XVI; 1 rood 2.1 perches, coloured red, being portion of Huepakari No 1, DP 1702, Block XVI; 32.3 perches, coloured blue, being portion of Huepakari No 1, DP 1636, Block XVI; 20.9 perches, coloured red, being portion of Huepakari No 1, Block XVI; 0.8 perch and 13.9 perches, coloured blue, being portions of Huepakari No 1, Block XVI; 1 rood 12.7 perches, coloured red, being portion of Ouekaharau A, Block XVI; and 21.8 perches, coloured blue, being portion of Ouekaharau B, Block XVI, Waihou Survey District: as the same are more particularly delineated on the plan marked PWD 52484 (SO 21814), deposited in the office of the Minister of Public Works, at Wellington, and thereon coloured as above mentioned.

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Notes

1 General

This is an eprint of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22. The eprint incorporates all the amendments to the Act as at 1 July 2013. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please see <http://www.pco.parliament.govt.nz/eprints/>.

3 List of amendments incorporated in this eprint (most recent first)

Criminal Procedure Act 2011 (2011 No 81): section 413
