

Reserves and Other Lands Disposal Act 1926

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Contents

		Page
	Title	3
1	Short Title	4
	Cancellation of reservation over certain lands.	
2	Reservation over lands described in Schedule cancelled, and lands declared to be Crown lands	4
	North Auckland Land District.	
3	Cancelling reservation over Tupua Domain, and declaring it to be Crown land	4
4	Authorizing vesting in Newmarket Borough Corporation of part of Newmarket Domain	5
	Auckland Land District.	
5	Cancelling reservation over scenic reserve in Block III, Paeroa Survey District, and reserving it as a permanent State forest	6
6	Cancelling reservation over scenic reserve in Block VII, Paeroa Survey District, and reserving it as a permanent State forest	7
7	Cancelling reservation over a pound reserve in Block VII, Paeroa Survey District, and reserving it as a permanent State forest	8
8	Section 9 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, varied as to change-paddocks for bush-sick land	8
9	Authorizing grant of lease to Rotorua Borough Council of part of Section 4, Block XXIII, Town of Rotorua	9
10	Cancelling reservation over Waihi Domain, and declaring it to be Crown land	10

11	Authorizing Governor-General to cancel reservation over portions of electric-telegraph reserve in Auckland Provincial District	11
12	Reserving certain lands as an endowment for a secondary school in the Borough of Rotorua, and making special provision for disposal of revenue therefrom	11
13	Validating loan of \$2,000 by Paeroa Borough Council for expenditure on Paeroa Domain	13
Gisborne Land District.		
14	Authorizing Gisborne Land Board to consent to improvements made by G M Reynolds, of Ormond, on certain land in Waiau Survey District leased by him	14
15	Granting exemption from residential conditions of leases to certain Natives of lands in Mangaoporo Survey District	14
Taranaki Land District.		
16	Cancelling reservation over Niho Domain, and declaring it to be Crown land	16
17	Schedule 1 to Reserves and other Lands Disposal and Public Bodies Empowering Act 1925, amended	17
Wellington Land District.		
18	Cancelling reservation over scenic reserve in Block V, Ruahine Survey District, and declaring it to be Crown land	17
19	Authorizing reservation as a site for automatic telephone exchange of certain land in City of Wellington acquired for workers' dwellings	18
20	Cancelling reservation over signal-station reserve at Wanganui Heads, and reserving it as a site for a post-office	19
21	Authorizing disposal of timber growing on portion of Wanganui River Trust Domain	19
22	Validating appointment of Public Trustee to hold in trust for Crown certain land in the City of London, England	21
Nelson Land District.		
23	Vesting in Nelson Harbour Board as an endowment Section 1132, City of Nelson	21
Westland Land District.		
24	Setting apart as a resting-place for travelling stock portion of Lake Ianthe Scenic Reserve	22

Canterbury Land District.		
25	Cancelling reservation over part of public domain in Blocks I and II, Lyndon Survey District, and declaring it to be Crown land	23
26	Authorizing transfer of control of certain scenic reserves now controlled by Summit Road Scenic Reserves Board	24
27	Authorizing vesting in Timaru Borough Corporation, for recreation purposes, of a military reserve	27
28	Section 51 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1925, amended [<i>Repealed</i>]	28
29	Vesting certain reserves in Mackenzie County Corporation for afforestation purposes	28
Otago Land District.		
30	Validating reduction of capital value of Sections 1A and 7A, Conical Hills Settlement	32
31	Authorizing vesting of certain lands in Cromwell Athenaeum	32
32	Making special provision as to disposal by renewable lease of unoccupied lands in Clifton, Wairuna, and Westcott Settlements	34
33	Making special provision to enable settlers in Clifton and Westcott Settlements to increase their holdings	34
34	Authorizing revaluation of certain lands in Hilderthorpe Settlement	35
35	Empowering Otago Harbour Board to accept surrender of lease to Crown of certain land and to grant lease over other land in lieu thereof	36
Southland Land District.		
36	Authorizing exchange of lands between the Gore Borough Council and the Crown	37
Schedule		
	Reserves made available for disposal under the Land Act 1924.	38

An Act to provide for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, and to validate certain Transactions.

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

1 Short Title

This Act may be cited as the Reserves and other Lands Disposal Act 1926.

Cancellation of reservation over certain lands.

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

The reservation over the several parcels of land described in the Schedule to this Act 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 1924.

North Auckland Land District.

3 Cancelling reservation over Tupua Domain, and declaring it to be Crown land

Whereas by an Order in Council published in the *Gazette* of the twenty-seventh day of May, nineteen hundred and twenty-six, the Kamo Town Board was appointed the Domain Board to control the Tupua Domain, being Section 119, Parish of Whangarei, North Auckland Land District, containing an area of ten acres: And whereas the said domain is not suitable for the purposes of public recreation, and it is desirable that the reservation thereof should be cancelled to enable the land comprised therein to be disposed of, the proceeds arising therefrom to be utilized in the manner hereinafter provided: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a public domain over Section 119, Parish of Whangarei, is hereby cancelled, and the appointment of the Kamo Town Board as the Tupua Domain Board is hereby revoked, and the said land is hereby declared to be Crown land available for disposal by way of sale for cash

or on deferred payments under the provisions of the Land Act 1924.

- (2) A sum or sums equal to the total price realized for such land may be paid, without further appropriation than this Act, out of the Land for Settlements Account as a charge against moneys received by that account from the sale of Crown lands; and may, with the approval of the Minister of Lands, be applied in the purchase of other land for the purposes of a public domain (including costs of survey and other incidental expenses); and the residue (if any) may, with the like approval as aforesaid, be paid to the Domain Board appointed to control such last-mentioned land, to be expended by such Board in the development as a public domain of the land so purchased.

4 Authorizing vesting in Newmarket Borough Corporation of part of Newmarket Domain

Whereas by section one hundred and twenty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, provision was made, *inter alia*, for an exchange of certain lands between the Crown and the Newmarket Borough Council: And whereas the reason for authorizing such exchange was, as is recited in the preamble to the said section, that the Newmarket Borough Council had erected on the Newmarket Domain certain municipal buildings and converted into a cottage a small building erected for the purposes of that domain: And whereas no steps have been taken to effect such exchange, and it is expedient, in lieu of proceeding under the said section one hundred and twenty-three, to make provision as hereinafter appears to enable the vesting in the Corporation of the Borough of Newmarket of that portion of the said domain on which municipal buildings have been erected, and to authorize the removal of the cottage erected as aforesaid: Be it therefore enacted as follows:—

- (1) Upon payment by the said Council to the Newmarket Domain Account of such sum as may be fixed by the Valuer-General the Governor-General shall, by Warrant under his hand, cancel the reservation for the purposes of recreation over that portion of the Newmarket Domain described in subsection three hereof and the vesting of the control of such portion in the Newmarket Domain Board, and declare that land to be vested

in the Corporation of the Borough of Newmarket in trust without power of sale as a site for municipal buildings.

- (2) The Council shall, at any time before the thirty-first day of December, nineteen hundred and twenty-seven, be entitled to remove the aforesaid cottage on payment to the Newmarket Domain Account of such amount by way of compensation for the original building converted into the cottage as the Minister of Lands may determine.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement two roods thirteen and six-tenths perches, more or less, being portion of Allotment 33, Section 4, Suburbs of Auckland, and bounded as follows: towards the north by a railway reserve, 362.1 links; towards the east by a public street, 168.3 links; towards the south by the south portion of Allotment 33 aforesaid, 241 links; and towards the west by a public street, 263.6 links: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 1/246, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow.
- (4) Section one hundred and twenty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, is hereby repealed.

Auckland Land District.

5 Cancellling reservation over scenic reserve in Block III, Paeroa Survey District, and reserving it as a permanent State forest

Whereas the land hereinafter described forms portion of a reserve for scenic purposes set apart by a Proclamation published in the *Gazette* of the seventh day of August, nineteen hundred and nineteen: And whereas there are no scenic features of particular interest on the said land, which has for many years been included within the boundaries of the Waiotapu Plantation and used for afforestation purposes, and it is expedient that it be set aside as a State forest: Be it therefore enacted as follows:—

- (1) The reservation for scenic purposes over the land hereinafter described is hereby cancelled, and the said land is hereby reserved as a permanent State forest.
- (2) The land so reserved as a permanent State forest is particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement one thousand nine hundred and seventy acres, more or less, being part of Section 8, Block III, Paeroa Survey District, and bounded as follows: towards the north-east by Section 8, Block XV, Tarawera Survey District, and Crown lands, 11840.7 links; towards the south-east by Crown land, 15938.4 links; towards the south-west generally by the Galatea Road; towards the north-west, south-west, and south-east by Section 11, Block III, Paeroa Survey District, 2568.4 links, 1041.5 links, and 1983.7 links; towards the south-west and south-east by Section 7 of the aforesaid Block III, Paeroa Survey District, 2334.9 links and 1099.3 links; again towards the south-west by the aforesaid Galatea Road; and towards the north-west by other part of Section 8, Block III, Paeroa Survey District, 11022.3 links and 2077.1 links: as the same is more particularly delineated on the plan marked L and S 342, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

6 Cancelling reservation over scenic reserve in Block VII, Paeroa Survey District, and reserving it as a permanent State forest

Whereas the land hereinafter described forms portion of a reserve for scenic purposes set apart by a Proclamation published in the *Gazette* of the nineteenth day of March, nineteen hundred and eight: And whereas the said land, which contains no scenic features of particular interest, has been maintained as a fire-control zone in connection with the Waiotapu Plantation, and it is expedient that it be set aside for State-forest purposes: Be it therefore enacted as follows:—

- (1) The reservation for scenic purposes over the land hereinafter described is hereby cancelled, and the said land is hereby reserved as a permanent State forest.
- (2) The land so reserved as a permanent State forest is particularly described as follows:—

All that area in the Auckland Land District, containing by ad-measurement sixty acres two roods, more or less, being part of Section 5, Block VII, Paeroa Survey District, and bounded as follows: towards the north-east, south-east, and south-west by Crown land, 1870 links, 2701.8 links, and 3475 links respectively; and towards the west and north generally by a line 100 links distant from and on the southern side of the Blue Lake and a stream flowing from it: as the same is more particularly delineated on the plan marked L and S 331, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

7 Cancellling reservation over a pound reserve in Block VII, Paeroa Survey District, and reserving it as a permanent State forest

Whereas by a Warrant published in the *Gazette* of the tenth day of November, nineteen hundred and four, Section 2, Paeroa Survey District, Auckland Land District, containing an area of one acre, was reserved as a site for a public pound: And whereas the said land has never been used for the purpose for which it was set apart, and being situated within the boundaries of the Waiotapu Plantation it is expedient that it be set aside for State-forest purposes: Be it therefore enacted as follows:—

The reservation as a site for a public pound over the afore-said Section 2, Block VII, Paeroa Survey District, is hereby cancelled, and the said land is hereby reserved as a permanent State forest

8 Section 9 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, varied as to change-paddocks for bush-sick land

- (1) Notwithstanding anything to the contrary in paragraph (b) of section nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, a lessee of a change-paddock under that section may from time to time, with the consent of the Commissioner of Crown Lands appointed under

section 12A of the Survey Act 1986 and the approval of the Minister of Lands, transfer or sublet his lease:

Provided that such consent and approval shall not be granted unless the person to whom the lease is to be transferred or sublet is already the holder of a lease of a change-paddock under the said section nine, whether he has since acquired the freehold of his original holding or not, or is eligible under the said section nine to acquire such a lease.

- (2) In the case of the transfer of a lease under the foregoing provisions of this section the transferee shall have and may exercise all the rights of the transferor under section nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, and the lease shall remain subject to the provisions thereof, as varied by this section with respect to the right of transfer and subletting. For the purpose of giving effect to this section the term **original holding** in the said section nine shall mean the land in the occupation of the transferee by virtue of which he is entitled to obtain a lease of a change-paddock.

Subsection (1) was amended, as from April 1949, by section 13(4) Land Act 1948 (1948 No 64) by substituting the reference to the "Land Settlement Board" for the reference to the "Auckland Land Board".

Subsection (1) was further amended, as from 1 February 1990, by section 9(2) Survey Amendment (No 3) Act 1989 (1989 No 139) by substituting the reference "Commissioner of Crown Lands appointed under section 12A of the Survey Act 1986" for the reference to the "Land Settlement Board".

9 Authorizing grant of lease to Rotorua Borough Council of part of Section 4, Block XXIII, Town of Rotorua

Whereas the land hereinafter described comprises portion of a reserve set apart for the purposes of the Post and Telegraph Department: And whereas it is desired to lease the said land to the Corporation of the Borough of Rotorua as a site for the erection of a municipal building: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Public Reserves and Domains Act 1908, the Governor-General may grant to the Corporation of the Borough of Rotorua a lease over the land described in subsection two hereof for any term not exceeding twenty-one years, with a right of renewal for a

further term not exceeding twenty-one years, upon such terms and conditions as he thinks fit to impose.

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

All that area in the Auckland Land District, containing 1.65 perches, more or less, and being part of Section 4, Block XXIII, Town of Rotorua: bounded on the north by Arawa Street, 22.72 links; on the east by other part of said Section 4, 45.45 links; on the south by other part of said Section 4, 22.72 links; and on the west by Section 3, 45.45 links: be all the aforesaid linkages a little more or less.

10 Cancelling reservation over Waihi Domain, and declaring it to be Crown land

Whereas Section 4, Block IV, Aroha Survey District, in the Auckland Land District, containing one hundred and twenty acres, is a public domain known as the Waihi Domain, subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908: And whereas a portion of the said domain, containing ninety-one acres two roods nine perches, and described as Lot 2 of Section 4, Block IV, Aroha Survey District, is controlled by the Waihi Borough Council acting as a Domain Board pursuant to the said Act: And whereas the said domain is no longer required for public purposes, and it is desirable that the reservation should be uplifted to enable the land to be disposed of, and that the proceeds of such disposal should be utilized in the manner hereinafter provided: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a public domain over Section 4, Block IV, Aroha Survey District, containing one hundred and twenty acres, is hereby cancelled, and the appointment of the Waihi Borough Council as the Domain Board to control portion of the said land is hereby revoked.
- (2) The said land shall be available for disposal by way of sale for cash or on deferred payment under the provisions of the Land Act 1924.
- (3) A sum or sums equal to the total price realized for such land may be paid, without further appropriation than this Act, out of the Land for Settlements Account as a charge against moneys received by that account from the sale of Crown lands; and

may, with the approval of the Minister of Lands, be applied in the purchase of other land for the purposes of a public domain, or paid to the Public Trustee for credit of the sinking fund of the Waihi Beach Loan raised by the Waihi Borough Council in connection with the acquisition of land at Waihi Beach for the purposes of a public recreation and pleasure ground.

11 Authorizing Governor-General to cancel reservation over portions of electric-telegraph reserve in Auckland Provincial District

- (1) The Governor-General may, by Warrant under his hand, cancel the reservation over so much of the reserve for the purposes of electric telegraphs hereinafter described as is not required for such purposes, and may declare the land over which such reservation is so cancelled to be Crown land available for disposal under the provisions of the Land Act 1924.
- (2) The reserve to which this section relates was set apart for the purposes of electric telegraph by an Order in Council under the Waste Lands Act 1858, published in the *Gazette* of the twentieth day of January, eighteen hundred and sixty-nine, and therein described as follows:—

“All that parcel of land being so much and such part of the waste lands of the Crown in the Province of Auckland as is included between two lines drawn on each side of and parallel to and at a distance of a chain from the line of electric telegraph laid down in the said province from Auckland to Cambridge, Kihikihi, Alexandra, to Napier, is required for purposes of the electric telegraph.”

12 Reserving certain lands as an endowment for a secondary school in the Borough of Rotorua, and making special provision for disposal of revenue therefrom

Whereas the lands in the Borough of Rotorua hereinafter described were set aside as an endowment for a college and grammar school at Rotorua, and on the early plans of the town are shown accordingly: And whereas the said lands were later temporarily reserved as an endowment for a Rotorua College and Grammar School, but by an oversight were purported to be permanently reserved as an endowment for secondary education generally without any lawful authority: And

whereas revenues from the said lands were for many years applied for the purposes of secondary education generally in the Auckland Provincial District, but arrangements have now been made to make available for a secondary school at Rotorua, in accordance with the original intention, the revenues so applied and future revenues accruing: And whereas a secondary school fulfilling the purposes of the college and grammar school originally contemplated is shortly to be erected at Rotorua, and a Board of Governors of such school is to be constituted, and it is desired to make the arrangements hereinafter set out with respect to the said lands and past and future revenues therefrom: Be it therefore enacted as follows:—

- (1) The said lands are hereby declared to be permanently reserved as an endowment for a secondary school in the Borough of Rotorua.
- (2) All moneys standing to the credit of the special deposit account within the Public Account, called the Rotorua College and Grammar School Account, whether derived as revenue from the said lands or by way of refund from the Auckland Provincial District Secondary Education Endowments Deposit Account, and all future moneys from either source credited to the first-mentioned account, shall be applied as follows:—
 - (a) The Minister of Finance shall from time to time, without further appropriation than this section, apply such moneys in payment of the cost of erection of a secondary school at Rotorua.
 - (b) Any further moneys available from such sources shall from time to time, without further appropriation than this section, be paid by the Minister of Finance to the governing body of the secondary school as aforesaid, to be applied for the purposes of the said secondary school
- (3) On the constitution under the Education Act 1914, of the governing body of the secondary school to be established at Rotorua as aforesaid the Governor-General may, by Warrant under his hand, vest the said lands in the said governing body, to be held in trust as an endowment for the said secondary school, but subject to any leases then in existence in respect of the said lands.
- (4) Upon the vesting of the said lands in the governing body as aforesaid the revenue from the said lands shall no longer be

paid into the Rotorua College and Grammar School Account, but to the said governing body, to be applied by it for the purposes of the trust.

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

All that area in the Auckland Land District having a total area of sixteen acres and eighteen perches, more or less, being Blocks XLIII, XLIV, XLV, XLVI, XLVII, Town of Rotorua.

13 Validating loan of \$2,000 by Paeroa Borough Council for expenditure on Paeroa Domain

Whereas the Paeroa Borough Council is the Domain Board having control of the Paeroa Domain: And whereas it was authorized by a poll of the ratepayers of the Borough of Paeroa to borrow a sum of two thousand dollars to be expended on the said domain: And whereas by an Order in Council published in the *Gazette* of the twenty-seventh day of September, nineteen hundred and twenty-three, the rate of interest to be paid in respect of such loan was prescribed to be a rate not exceeding five and three-quarters per centum per annum: And whereas the said Council sold the debentures issued in respect of such loan at such a price as produced to the holders thereof interest at a greater rate than that so prescribed: And whereas the said Council had no authority of law to borrow for such purpose as aforesaid: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the Paeroa Borough Council shall be deemed for all purposes to have been lawfully empowered to borrow the said sum of two thousand dollars and to expend the same in its capacity as the Paeroa Domain Board, and the sale by it of debentures in respect thereof at such a rate as produced to the holders interest at a greater rate than five and three quarters per centum per annum is hereby validated.

The expression “two thousand dollars” was substituted, as from 10 July 1967, for the expression “one thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Gisborne Land District.

14 Authorizing Gisborne Land Board to consent to improvements made by G M Reynolds, of Ormond, on certain land in Waiau Survey District leased by him

Whereas the land described in certificate of title, Volume 17, folio 54, Gisborne Registration District, being parts of Blocks V and XII, Waiau Survey District, is an education endowment held under lease numbered 4057 by George Morris Reynolds, of Ormond, sheep-farmer, under the Education Reserves Amendment Act 1910, and the Public Bodies’ Leases Act 1908: And whereas the said lessee, having effected improvements of considerable value upon the said land without obtaining the prior consent thereto of the Gisborne Land Board as required by the said lease, is thereby deprived of his right under the said lease to payment for such improvements from any future tenant by way of lease of the said land: And whereas it is considered equitable that the said lessee shall not be penalized for his failure to obtain such consent: Be it therefore enacted as follows:—

The Gisborne Land Board is hereby empowered to give its consent to the improvements effected by the lessee on the aforesaid land, and such consent shall have effect as if it had been given under the covenants of the hereinbefore-mentioned lease prior to such improvements having been effected.

15 Granting exemption from residential conditions of leases to certain Natives of lands in Mangaoporo Survey District

Whereas the Crown in the year nineteen hundred and twenty-one purchased the interests of the various Native owners in the Hurakia Block, Mangaoporo Survey District, with a view to making the said block available for settlement: And whereas certain of the said Native owners were not willing to sell their interests, but agreed to do so in order to facilitate the subdivision of the block into suitable sections on the understanding that they were to be given leases under the Land Act 1908, over the various interests held by them respectively:

And whereas the Hawke's Bay Land Board, in pursuance of the said arrangement with the Native owners concerned, granted them leases under the Land Act 1908, on the thirteenth day of October, nineteen hundred and twenty-one, the provisions of section seventeen of the Native Land Amendment and Native Land Claims Adjustment Act 1916, having been complied with: And whereas the said leases are subject to the usual compulsory-residence clauses of the Land Act 1924, and in view of the special circumstances surrounding the granting of these leases it is deemed equitable that the lessees should be granted exemption from residential conditions: Be it therefore enacted as follows:—

- (1) The lessees hereinafter named are hereby granted exemption from all conditions as to residence imposed by their respective leases or by the Land Act 1924, but such exemption shall not apply to their successors in title, whether Native or European.
- (2) The lessees to whom this section relates, and the lands in the Mangaoporo Survey District, Gisborne Land District, in respect of which exemption from residential conditions is granted to them as aforesaid, are as follows:—

Name of Lessee.	Section No	Block No
Turei Maki	1	I
Hera Matekino Milner	1	XI
Rawhiti Paraone	2	XI
Rawhiti Paraone	3	XI
Raana Walker and Pahoe Morete	1	XII

Name of Lessee.	Section No	Block No
Rutu Tawhiorangi, Keita Pokai, and Henare Pokai	1	XV
Maaka Rapana	3	XV

Taranaki Land District.

16 Cancelling reservation over Niho Domain, and declaring it to be Crown land

Whereas the Niho Domain, comprising Section 31, Block II, Ohura Survey District, in the Taranaki Land District, is not required for the purposes of public recreation, and it is desirable that the existing reservation thereover be cancelled and the land made available for disposal under the Land Act 1924, and that the proceeds from such disposal be applied in or towards the acquisition of other land for the purposes of a public domain and the improvement thereof: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a public domain over Section 31, Block II, Ohura Survey District, containing nineteen acres three roods thirty-seven perches, and known as the Niho Domain, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal for cash or on deferred payment under the Land Act 1924.
- (2) The Board controlling the said land and known as the Niho Domain Board is hereby dissolved.
- (3) A sum or sums equal to the total price realized for such land may be paid, without further appropriation than this section, out of the Land for Settlements Account as a charge against moneys received by that account from the sale of Crown lands, and shall be applied in or towards the purchase of other land for the purposes of a public domain (including costs of survey and other incidental expenses), and the residue of such moneys (if any) shall be paid to the Domain Board that may be appointed to control any land so purchased, to be expended by it in the development of such land as a public domain.

17 Schedule 1 to Reserves and other Lands Disposal and Public Bodies Empowering Act 1925, amended

Schedule 1 to the Reserves and other Lands Disposal and Public Bodies Empowering Act 1925, is hereby amended as from the date of the passing thereof by omitting from the item numbered six in that Schedule the description of the land referred to in that item, and substituting the following description, namely:—

All that area in the Taranaki Land District, being Lot 1 of Section 2, Block II, Kapara Survey District, containing by admeasurement one hundred and thirty-three acres, more or less, and bounded as follows: commencing at a point on the west side of Rotokohu Road adjacent to survey peg No XXI, and proceeding thence generally westerly, 2695.6 links; thence generally northerly, 7738.3 links; thence generally easterly, 2728.7 links (maintaining a distance of not less than ten chains from Rotokohu Lake) to the eastern boundary of Section 2, Block II, Kapara Survey District (scenic reserve), as described in *Gazette* No 58, page 1504, of the twenty-second day of June, nineteen hundred and five; thence generally southerly along the east boundary of the said Section 2 to the point of commencement: excluding all that portion of Rotokohu Road contained within this description: as the same is more particularly delineated on the plan marked L and S 262A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

Wellington Land District.

18 Cancelling reservation over scenic reserve in Block V, Ruahine Survey District, and declaring it to be Crown land

- (1) The reservation for scenic purposes over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1924.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement five acres two roods sixteen perches, more or less, situated in Block V, Ruahine Survey District: bounded towards the west and north generally by the Rangitane Road; towards the east by Section 2A (forest and scenic reserve), Block V, Ruahine Survey District; and towards the south and south-east generally by a road reserve along the right bank of the Kawatau River: as the same is delineated on a plan marked 235/8, deposited in the Wellington District Office, Department of Lands and Survey, and thereon coloured green.

- (3) Section one hundred and nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby repealed.

19 Authorizing reservation as a site for automatic telephone exchange of certain land in City of Wellington acquired for workers' dwellings

Whereas the land hereinafter described was acquired by His Majesty for the purpose of providing sites for the erection of workers' dwellings: And whereas the said land has not been utilized for such purpose, and is now required as a site for an automatic telephone exchange: Be it therefore enacted as follows:—

- (1) Upon payment by the Postmaster-General to the State Advances Account of the sum of two thousand dollars the Governor-General may, by Warrant under his hand, declare the said land to be permanently reserved as a site for an automatic telephone exchange.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District situated in the City of Wellington, containing by admeasurement thirty-four and thirty-four hundredths perches, be the same a little more or less, being Part 2 of Lot 1 of Block VIII on deposited plan 6174, and being part of Sections 9 and 13, Watts Peninsula Registration District, Blocks VII and XI, Port Nicholson Survey District: as the same is more particularly delineated on plan numbered 256/5, deposited in the Wellington District Office of the Department of Lands and Survey, and thereon bordered blue.

The expression “two thousand dollars” was substituted, as from 10 July 1967, for the expression “one thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

20 Cancelling reservation over signal-station reserve at Wanganui Heads, and reserving it as a site for a post-office

Whereas the land hereinafter described forms portion of an area acquired in exchange by the Crown as a reserve for a signal-station under the Wanganui Heads Signal-station Reserve Exchange Act 1891: And whereas the said land is not required for such purpose, but is required as a site for a post-office: Be it therefore enacted as follows:—

- (1) The reservation for signal-station purposes over the land hereinafter described is hereby cancelled, and the said land is hereby reserved as a site for a post-office.
- (2) The land to which this section relates is particularly described as follows:—

All that area situated in the City of Wanganui, in the Wellington Land District, containing by admeasurement one rood and eight and fifty-six hundredths perches, more or less, being Part 2 of Lot 102 on deposited plan 264, Town of Castlecliff, and bounded as follows: towards the north-west by Cross Street, 100 links; towards the east generally by other part of Lot 102, 169.1 links and 169.1 links; towards the south-west by Heads Road, 100 links; and towards the west generally by Part 1 of Lot 102, 134.4 links and 134.4 links: be all the aforesaid link-ages more or less: as the same is delineated on the plan marked L and S 6/3/352, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

21 Authorizing disposal of timber growing on portion of Wanganui River Trust Domain

Whereas the land hereinafter described forms portion of a public domain constituted pursuant to the Wanganui River Trust Act 1891: And whereas it is desired to dispose of the timber growing thereon and to make suitable provision for the investment of the proceeds: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Wanganui River Trust Act 1891, and the Public Reserves and Domains

Act 1908, and the amendments of those Acts, the timber growing on the land hereinafter described may be disposed of by way of sale, subject to the conditions hereinafter mentioned.

- (2) For the purpose of disposing of the said timber and supervising the milling operations in connection with the removal of the same from the said land the Commissioner of State Forests shall have all the powers conferred on him by and under the Forests Act 1921-22, in respect of State forests.
- (3) There shall be paid into the State Forests Account a sum equal to ten per centum of the sum or sums realized from the disposal of such timber in full satisfaction of all costs incurred by the Commissioner of State Forests in connection with such disposal and supervision as aforesaid.
- (4) The remainder of the sum or sums so realized shall be used in or towards the purchase by the Wanganui River Trust Domain Board for domain purposes of other lands approved by the Minister of Lands or in or towards the improvement, maintenance, and protection of the domain or other lands now or hereafter placed under the control of the management of the said Board, and until so used shall be invested in such manner as the Minister of Finance may from time to time approve.
- (5) Moneys derived by way of interest from any investments under this section shall be available for expenditure as ordinary revenue of the Domain Board.
- (6) The provisions of section 17 of the Finance Act 1924, and section 357 of the Land Act 1924, shall not apply to the proceeds derived from the sale of any timber pursuant to the powers conferred by this section.
- (7) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement forty-seven acres, more or less, being Reserve E, Wanganui River Trust Domain, situated in Block I, Hunua Survey District: as the same is delineated on plan numbered 270/20H, deposited in the Wellington District Office, Department of Lands and Survey, and thereon bordered blue.

Subsection (4) was amended, as from 9 December 1932, by section 6(3) Reserves and Lands Disposal Act 1932 (1932 No 24) by inserting the words “or

in or towards the improvement, maintenance, and protection of the domain or other lands now or hereafter placed under the control of the management of the said Board”.

22 Validating appointment of Public Trustee to hold in trust for Crown certain land in the City of London, England

Whereas by Letters Patent under the Seal of the Dominion of New Zealand, bearing date the twenty-eighth day of June, nineteen hundred and twenty-six, and approved in Executive Council, the Public Trustee was appointed, pursuant to subsection seven of section thirteen of the Public Trust Office Act 1908, as trustee to have transferred to him the land hereinafter described, to hold the same in trust for the Crown: And whereas the said land has been so transferred to the name of the Public Trustee, but doubts have arisen as to the validity of such appointment: Be it therefore enacted as follows:—

- (1) The said appointment by Letters Patent is hereby validated, and the Public Trustee shall hold the land hereinafter described, together with the premises erected thereon and all rights appurtenant thereto or held in connection therewith, in trust for His Majesty in respect of the Government of New Zealand, according to the tenor of the said Letters Patent.
- (2) The land to which this section relates is all that land situate at the corner of Agar Street and The Strand, in the City of London, in the County of Middlesex, England, being an area having a frontage of fifty feet to The Strand by a depth of one hundred feet to Agar Street.

Nelson Land District.

**23 Vesting in Nelson Harbour Board as an endowment
Section 1132, City of Nelson**

Whereas the land hereinafter described was by Crown grant dated the twenty-eighth day of September, eighteen hundred and seventy-five, granted to the Superintendent of the Province of Nelson and his successors in trust as a site for a lighthouse and the necessary premises thereunto belonging: And whereas by deed dated the twenty-first day of December, eighteen hundred and seventy-five, the said land was conveyed, assured, and surrendered by the said Superintendent to the Crown: And whereas the maintenance of the light on the said land has been taken over by the Nelson Harbour Board, and it is expedi-

ent that the land be vested in such Board: Be it therefore enacted as follows:—

- (1) The land hereinafter described is hereby vested in the Nelson Harbour Board in trust as an endowment, and the Governor-General may, by Warrant under his hand, authorize the issue to the said Board of 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 Nelson Land District, containing by ad-measurement one acre three roods eighteen perches, more or less, being Section 1132, City of Nelson, and bounded as follows: on the north-east by portion of the Nelson Harbour Board's endowment known as the Boulder Bank, 216 links; on the south-east by high-water mark of Nelson Haven; on the south-west by portion of the aforesaid Boulder Bank, 229 links; and on the north-west by high-water mark of Tasman Bay: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 22/2124A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Westland Land District.

24 Setting apart as a resting-place for travelling stock portion of Lake Ianthe Scenic Reserve

Whereas by Proclamation published in the *Gazette* of the second day of March, nineteen hundred and eleven, Reserve 1191, situated in Blocks XIV and XV, Waitaha Survey District, and Blocks II and III, Mount Bonar Survey District, in the Westland Land District, and known as the Lake Ianthe Scenic Reserve, was set apart under the Scenery Preservation Act 1908: And whereas it is desired to set apart a portion of the said reserve as hereinafter described as a resting-place for travelling stock: Be it therefore enacted as follows:—

- (1) The reservation for scenic purposes over the hereinafter-described portion of the said Reserve 1191 is hereby cancelled, and the said land is hereby set apart as a resting-place for travelling stock.

- (2) The land so set apart as a resting-place for travelling stock is particularly described as follows:—

All that parcel of land in the Westland Land District, containing by admeasurement twenty-three acres, more or less, being part of Reserve 1191, situated in Block III, Mount Bonar Survey District, and bounded on the north by other part of Reserve 1191, 954 links; on the east by the other part of Reserve 1191, 2489.2 links; on the south by Section 3143, 1014 links; on the west by the Main South Road, 628.1 and 1272.3 links; again on the north by Reserve 887, 250 links; again on the west by Reserve 887, 300 links; on the south by Reserve 887, 250 links; and again on the west by Main South Road, 267.8 and 39.8 links: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on plan marked L and S 578/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

Canterbury Land District.

25 Cancelling reservation over part of public domain in Blocks I and II, Lyndon Survey District, and declaring it to be Crown land

Whereas the land hereinafter described forms portion of a public domain the control of which is vested in the Minister of the Crown for the time being having the administration of the Tourist and Health Resorts Control Act 1908, by virtue of an Order in Council dated the third day of March, nineteen hundred and eight, and published in the *Gazette* of the twelfth day of that month: And whereas the said land is not required for domain purposes, and it is desired to uplift the reservation and declare the land to be Crown land subject to the provisions of the Land Act 1924: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a public domain over the land hereinafter described and the vesting of the control thereof in the Minister of the Crown for the time being having the administration of the Tourist and Health Resorts Control Act 1908, are hereby cancelled, and the said land is hereby declared to be Crown land subject to the provisions of the Land Act 1924.

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

All that area in the Canterbury Land District, containing by ad-measurement six acres three roods thirty-two perches, more or less, and being part of Reserve 3656, situated in Blocks I and II, Lyndon Survey District, and bounded as follows: towards the north by Section 21, Hanmer Plains, 250.6 links; towards the east generally by the Christchurch-Hanmer Road, 562.3, 1828.7, and 564.1 links; towards the south-west and west generally by other part of Reserve 3656, 250, 458.5, 1644.6, and 501.3 links: as the same is more particularly delineated on the plan marked L and S 9/796, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

26 Authorizing transfer of control of certain scenic reserves now controlled by Summit Road Scenic Reserves Board

Whereas it is deemed expedient that the scenic reserves referred to in subsection five hereof which are now under the control of the Summit Road Scenic Reserves Board, constituted under the Scenery Preservation Act 1908, shall be removed from the control of that Board and be placed under the control of the Board of Trustees of the Port Hills-Akaroa Summit Road Public Trust (Incorporated), subject to the conditions hereinafter mentioned: And whereas the said Scenic Reserves Board has agreed to the said proposed transfer of control subject to the said conditions, and the said Board of Trustees of the Port Hills - Akaroa Summit Road Public Trust (Incorporated) has agreed to undertake such control subject to the said conditions: Be it therefore enacted as follows:—

- (1) On provision being made to the satisfaction of the Minister charged for the time being with the administration of the Scenery Preservation Act 1908 (hereinafter referred to as the Minister), for relieving from liability as guarantors all persons who have guaranteed payment to the Bank of New Zealand of moneys owing to it by the Summit Road and Reserves Association (Incorporated), the Governor-General may revoke the vesting in the Summit Road Scenic Reserves Board of the control of the reserves described in subsection five hereof and vest such control in the Board of Trustees of

the Port Hills - Akaroa Summit Road Public Trust (Incorporated), hereinafter called the Trustees, subject to the following conditions, namely:—

- (a) The Trustees shall maintain and keep in good order, condition, and repair the said reserves and the buildings and improvements for the time being thereon in accordance with the Scenery Preservation Act 1908, and the regulations for the time being in force thereunder.
 - (b) The houses and buildings for the time being on the said reserves shall be maintained and administered by the Trustees as places of public resort for persons using the Port Hills-Summit Road.
 - (c) The net income derived from the said reserves, including the profits arising from the places of public resort thereon, shall be applicable to—
 - (i) Any of the purposes mentioned in section one hundred and four of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22:
 - (ii) The keeping-down of rabbits and noxious weeds on the land, fencing and other purposes relating to protection of the reserves, payment of caretakers' salaries, and making pathways for giving access to scenic attractions:
 - (iii) Such other purposes as may from time to time be approved by the Minister.
 - (d) The Audit Office shall be the auditor of the Trustees, and shall have the same powers and duties in respect of the moneys and accounts of the Trustees in respect of their control of the said reserves and of every person dealing with them in connection with those reserves as if the Trustees were a local authority within the meaning of the Public Revenues Act 1910.
 - (e) The Trustees shall keep such accounts, and in such form as the Audit Office approves, of all moneys received and expended by them in respect of their control of the said reserves.
- (2) The Trustees, in respect of their control of the said reserves, shall for all purposes be deemed to be a special Board consti-

tuted by the Governor-General for the purposes of the Scenery Preservation Act 1908, and the powers exercisable by them pursuant to the last preceding subsection shall be in addition to and not in substitution for any powers conferred on them by that Act.

- (3) While the control of the said reserves is vested in the Trustees as aforesaid the Minister may, on the recommendation of the Trustees, grant to any person or persons a lease of the whole or any part of any of the said reserves for any period not exceeding twenty-one years, subject to such terms and conditions as he thinks fit to impose. All moneys payable by the lessee under any such lease shall be paid to the Trustees, and shall be applicable by them to any of the purposes mentioned in paragraph (c) of subsection one hereof.
- (4) If at any time the Trustees fail to comply to the satisfaction of the Minister with any of the conditions subject to which the control of the said reserves is vested in them pursuant to subsection one hereof, the Governor-General may, by Warrant under his hand, revoke such vesting, and thereupon the Trustees shall pay into the Public Account all moneys then held by them in connection with their control of the said reserves.
- (5) The scenic reserves to which this section relates are the following reserves in the Canterbury Land District:—

Number of Reserve.	Block.	Survey District.	Area.			Name of Reserve.
			A	R	P	
3735	III	Hal-swell	52	2	39	Kennedy's Bush.
3735A	..	..	44	1	1	..
3900	..	..	8	1	31	Coronation Hill.

Number of Reserve.	Block.	Survey District.	Area.			Name of Reserve.
3901	..	..	41	1	13	Hoon Hay Park.
3920	VII	..	36	3	0	Cooper's Knob.
3921	..	..	6	3	32	Cass Peak.
3948	..	..	28	3	18	Ahuriri Bush.
3950	..	..	2	3	36	Cooper's Knob.
3954	XII	..	11	3	25	Gravenor Bush.
3956	III	..	28	2	29	Kennedy's Bush.
3984	XII	..	91	2	25	Parkinson's Bush.
3988	..	..	2	0	11	..
4066	..	..	152	1	30	..

27 Authorizing vesting in Timaru Borough Corporation, for recreation purposes, of a military reserve

Whereas the land hereinafter described forms portion of an area set apart as a General Government reserve for military purposes: And whereas the said land is no longer required for the purposes for which it was set apart, and it is desirable that it should be vested, subject to certain conditions, in the Corporation of the Borough of Timaru: Be it therefore enacted as follows:—

- (1) The reservation as a General Government reserve for military purposes over the land hereinafter described is hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Timaru as a place of public recreation and enjoyment for the inhabitants of the said borough and the public generally, to be held under and subject in all respects to the provisions of the Timaru Public Park and Garden Domain Reserve and Otupua Domain Reserve Vesting Act 1895.
- (2) Upon application in that behalf being made by the Timaru Borough Council the District Land Registrar for the Canterbury Land Registration District shall issue to the said Corporation a certificate of title in respect of the said land.
- (3) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement two acres three roods twenty-six perches, more or less, being Lot 2 of Reserve 102, Borough of Timaru, and bounded as follows: towards the west by the Great Southern Railway, 535.7 links; towards the north by other part of Reserve 102, 726.7 links; and towards the south-east and south by a road reserve, 704.1 and 319 links respectively: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 6/11/35, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

28 Section 51 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1925, amended

[Repealed]

Section 28 was repealed, as from 16 September 1946, by section 4 Christchurch Domains Act 1946 (1946 No 1(L)).

29 Vesting certain reserves in Mackenzie County Corporation for afforestation purposes

Whereas the lands firstly hereinafter described form portion of a reserve for the Opawa Railway extension set apart by notification published in the Canterbury Provincial Gazette of the twentieth day of May, eighteen hundred and seventy-five, and portion of the land taken for railway purposes by Proclamation published in the *Gazette*

of the sixteenth day of April, eighteen hundred and eighty-five: And whereas the land secondly hereinafter described forms portion of a reserve set apart for a gravel-pit by notification published in the Canterbury Provincial Gazette of the ninth day of August, eighteen hundred and seventy-five: And whereas the land thirdly hereinafter described was vested in the Mackenzie County Council in trust as a gravel reserve by an Order in Council published in the *Gazette* of the ninth day of September, eighteen hundred and ninety-seven: And whereas the said lands are no longer required for the purposes hereinbefore recited, and it is expedient that the several areas mentioned should be vested in the Corporation of the Mackenzie County in trust for forestry purposes: Be it therefore enacted as follows:—

- (1) The existing reservation over all the lands hereinafter described and the vesting in the Mackenzie County Council in trust as a gravel reserve of the land thirdly so described are hereby cancelled, and the said lands are hereby vested in the Corporation of the Mackenzie County in trust for forestry purposes, subject to the following Conditions:—
 - (a) The Mackenzie County Council shall, within six months after the passing of this Act, prepare a general forest working-plan of future operations to cover a period of not less than five years; such working-plan shall specify fully the silvicultural operations proposed to be carried on during the currency of the plan and such other matters as the Director of Forestry thinks fit.
 - (b) It shall not be lawful for the said Council to carry on such silvicultural operations unless and until such plan has been approved by the Commissioner of State Forests, and all such operations shall be carried on according to such plan as approved by the said Commissioner and under the supervision of the Director of Forestry.
 - (c) The Council may dispose of, by private sale, tender, or auction, any timber, trees, tree-seeds, firewood, or any forest-produce on or from the reserves herein referred to.
 - (d) All moneys received as rents, fees, proceeds of sale of forest-produce, or otherwise from the said reserves shall be spent solely on the administration, management, and

- development for forestry purposes and other purposes incidental thereto of any reserves vested in the Corporation of the said county for forestry purposes or any freehold lands held by the said Corporation.
- (e) The said Council, with the consent of the Governor-General first had and obtained, may exchange any area of land subject to this section for the fee-simple of any other land which is deemed to be more suitable for forestry purposes, and on any such exchange may pay or receive by way of equality of exchange any sum not exceeding twenty-five per centum of the estimated value of the land so exchanged.
- (f) The said Council may from time to time make such by-laws, not inconsistent with this section, as may be deemed necessary for the more efficient control and administration of the said reserves, and such by-laws may provide for a penalty not exceeding one hundred dollars for any breach of any such by-laws. No such by-law shall have force or effect unless and until approved by the Commissioner of State Forests and until a notice of such approval has been published in the *Gazette*.
- (g) In April of each year the said Council shall furnish to the Commissioner of State Forests a report for the year ending on the preceding thirty-first day of March, presenting in complete detail full particulars of the technical operations, and of the administration of all the reserves vested hereby in the said Corporation, and of the financial operations relating thereto, and shall at the same time submit a plan of operations and management for the ensuing year, which shall be effective on approval by the Commissioner of State Forests.
- (2) The lands to which this section relates are particularly described as follows:—
- Firstly, all that area in the Canterbury Land District, containing by admeasurement sixty-nine acres three roods thirty perches, more or less, and being part of Reserves 1896 and 1708, situated in Block VIII, Opawa Survey District, and Blocks V and IX, Pareora Survey District, and bounded as follows: towards the north-west by Rural Section 19254; towards the north-east

by the Timaru-Fairlie Road and Railway; towards the east by Rural Section 21176; and again towards the south-west by Rural Sections 25376, 25372, 25105, 25178, 25120, 28725, and 27876: save and except thereout parts of Reserves 1708 and 1709 and the intersecting roads.

Also all that area in the Canterbury Land District, containing by admeasurement eight acres two roods thirty-four perches, more or less, and being other part of Reserve 1896, situated in Block VIII, Opawa Survey District, and bounded as follows: towards the north-east by the Timaru-Fairlie Road and Railway; towards the south-east by a public road; and again towards the south-west and north-west by Rural Section 18805: save and except thereout the intersecting road.

As the same are more particularly delineated on the plan marked L and S 47270, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured violet.

Secondly, all that area in the Canterbury Land District, containing by admeasurement four acres one rood thirty-seven perches, more or less, and being part of Reserve 1709, situated in Block V, Pareora Survey District, and bounded as follows: towards the north-east by the Mackenzie Road; towards the south-east by Reserve 1896; again towards the south-east, towards the south-west, and towards the north-west by Rural Section 25372, and again towards the north-west by other part of Reserve 1896: save and except the intersecting road: as the same is more particularly delineated on the plan marked L and S 47270A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Thirdly, all that area in the Canterbury Land District, containing by admeasurement four acres one rood ten perches, more or less, and being part of Reserve 1708, situated in Block VIII, Opawa Survey District, and bounded as follows: towards the north-east by other part of Reserve 1708; towards the south-east by Reserve 1896; again towards the south-east, towards the south-west, and towards the north-west by Rural Section 25120; and again towards the north-west by other part of Reserve 1896: as the same is more particularly delineated on the plan marked L and S 47270B, deposited in the Head

Office, Department of Lands and Survey at Wellington, and thereon bordered red.

- (3) Notwithstanding anything contained in section one hundred and thirty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, the Mackenzie County Council may apply the whole or any part of the revenue derived from the reserves vested under that section towards the cost of administration, management, and development for forestry purposes and other purposes incidental thereto of any reserves vested in the said Corporation for forestry purposes or any freehold lands held by the said Council.

The expression “one hundred dollars” was substituted, as from 10 July 1967, for the expression “fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Otago Land District.

30 Validating reduction of capital value of Sections 1A and 7A, Conical Hills Settlement

The reduction of the capital value of Sections 1A and 7A, Conical Hills Settlement, in the Otago Land District, to three thousand two hundred dollars for the purpose of facilitating their disposal under the Land for Settlements Act 1925, on renewable lease is hereby declared to have been lawfully made by the Minister of Lands, anything to the contrary in section fifty-four of the said Act notwithstanding.

The expression “three thousand two hundred dollars” was substituted, as from 10 July 1967, for the expression “one thousand six hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

31 Authorizing vesting of certain lands in Cromwell Athenaeum

Whereas by the Cromwell Athenaeum Reserves Act 1877, certain land was vested in the Cromwell Athenaeum (incorporated by the Cromwell Athenaeum Ordinance 1873) for the benefit of the said Cromwell Athenaeum: And whereas a portion of such land, comprising seven and five-tenths perches, being parts Sections 3 and 4, Block III, Town of Cromwell, was taken and vested in the Crown for the purposes of a post-office in the Borough of Cromwell by a Proclamation published in the *Gazette* of the first day of July, nineteen

hundred and twenty-six: And whereas the Cromwell Athenaeum has agreed to accept as compensation for the area so taken the portion of Crown land described in subsection two hereof and the portion of the reserve set apart for sites for public buildings or other purposes of the General Government described in subsection three hereof, together with a cash payment of one hundred and fifty dollars: Be it therefore enacted as follows:—

(1) The Governor-General may, by Warrant under his hand, authorize the issue of a certificate of title to the Cromwell Athenaeum in respect of the areas described in subsections two and three hereof, and thereupon the said areas shall be subject to all the provisions of the Cromwell Athenaeum Reserves Act 1877, as if they had been included in the Schedules to that Act, and the area described in the said subsection three shall be deemed to be discharged from any previous reservation affecting the same.

(2) The portion of Crown land hereinbefore referred to is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement sixteen-hundredths of a perch, more or less, being part of Section 4, Block III, Town of Cromwell: bounded towards the north-west by other part of Section 4, 10 links; towards the north-east by part Section 38, 10 links; towards the south-east by other part of Section 4, 10 links; and towards the south-west by other part of Section 4, 10 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked PWD 65621, deposited in the office of the Minister of Public Works, at Wellington, and thereon edged blue.

(3) The portion of the reserve for sites for public buildings or other purposes of the General Government hereinbefore referred to is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement ten and seven-tenths perches, more or less, being part of Section 38, Block III, Town of Cromwell, and bounded as follows: towards the north-west by Section 7, Block III, Town of Cromwell, 100 links; towards the north-east by Section 37, 66.67 links; towards the south-east by other part of Section 38, 100 links; and towards the south-west by Sections 5 and 6, 66.67 links: be all the aforesaid linkages more or less: as the

same is delineated on the plan referred to in the last preceding subsection and thereon edged red.

The expression “one hundred and fifty dollars” was substituted, as from 10 July 1967, for the expression “seventy-five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

32 Making special provision as to disposal by renewable lease of unoccupied lands in Clifton, Wairuna, and Westcott Settlements

Notwithstanding anything to the contrary in section fifty-four of the Land for Settlements Act 1925, any unoccupied allotment of land in the Clifton, Wairuna, or Westcott Settlements, in the Otago Land District, may be offered for selection on renewable lease at such capital value as may be fixed by the Minister.

33 Making special provision to enable settlers in Clifton and Westcott Settlements to increase their holdings

Whereas the allotments of land in Clifton and Westcott Settlements, in the Otago Land District, are too limited in area to permit of their successful occupation as farms: And whereas it is desirable to afford special facilities to the settlers on the said settlements to increase the size of their respective holdings, and for that purpose to authorize the surrender of existing leases: And whereas the allotments already held by the settlers in the said settlements are occupied at a rental equal to four dollars and fifty cents per centum per annum of the respective capital values thereof: Be it therefore enacted as follows:—

- (1) The Land Board of the Otago Land District is hereby authorized and empowered to accept the surrender of the existing lease of any allotment of land in Clifton or Westcott Settlements and to grant to the holder thereof a new renewable lease under the Land for Settlements Act 1925, over such area of land in the same settlement as is, in the opinion of the said Board, sufficient for the maintenance of the holder and his family.
- (2) The rental of any renewable lease granted under the authority of this section shall be at the annual rate of four dollars and fifty cents per centum on such capital value as may be fixed by the Minister.

The expression “four dollars and fifty cents” was substituted, as from 10 July 1967, for the expression “four pounds ten shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

34 Authorizing revaluation of certain lands in Hilderthorpe Settlement

- (1) An application by the lessee of any land hereinafter described for a revaluation of the land comprised in his lease may, notwithstanding anything to the contrary in subsection (6) of section 216 of the Land Act 1924, be received at any time after the commencement of the term of the lease, and, subject to the next succeeding subsection, be dealt with under that section as if it had been received within the period fixed in that behalf by the said subsection (6).
- (2) If on a revaluation of land under this section the value as then determined, exclusive of the value of improvements effected by the lessee, is less than the capital value of the land on which the rent is based, the rent payable under the lease shall, notwithstanding anything to the contrary in subsection (4) of the said section 216, be proportionately reduced as from the first day of January, nineteen hundred and twenty-six.
- (3) The lands to which this section relates are the following lands in the Otago Land District:—

Hilderthorpe Settlement

Sec- tion.	Area.			Section.	Area.		
	A	R	P		A	R	P
1A	9	2	20	10A	9	3	24
2A	10	0	0	11A	9	3	24
3A	9	2	16	12A	8	3	26
4A	11	2	28	13A	9	3	24
5A	11	1	31	18A	24	2	24
6A	9	0	10	20A	24	1	7

Section.	Area.			Section.	Area.		
7A	9	0	10	21A	209	2	20
8A	8	3	30	22A	232	1	30
9A	9	3	30				

35 Empowering Otago Harbour Board to accept surrender of lease to Crown of certain land and to grant lease over other land in lieu thereof

Whereas the Otago Harbour Board by memorandum of lease numbered 5180 in the Otago Land Registry Office has leased to the Crown the area of land described in section eighty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, as a site for a public-works store: And whereas the said Board is desirous of regaining possession of such land, and is willing to lease other land in lieu thereof: Be it therefore enacted as follows:—

- (1) The Otago Harbour Board may agree with the Minister of Public Works to accept a surrender of the aforesaid lease, and to grant to the Crown in lieu thereof a lease over the land hereinafter described for the remainder of the term for which such first-mentioned lease was granted and upon the same conditions as in that lease.
- (2) All costs and expenses incurred in connection with such surrender and grant shall be borne by the said Board, which shall also pay to the Crown such sum, not exceeding three hundred dollars, as may be agreed on as the cost of removing improvements and material from the land in respect of which such lease as aforesaid is surrendered to the land in respect of which such lease in lieu thereof is granted.
- (3) The land to which this section relates is particularly described as follows:—

All that area of land in the City of Dunedin, Otago Land District, comprising two acres two roods thirty and thirty-six hundredths perches, more or less: bounded on the south-west by Wickliffe Street, on the south-east by Sturdee Street, on the north-west by Jutland Street, and on the north-east by a line

parallel to Halsey Street; the said streets being more particularly delineated on the plan marked PWD 67052, deposited in the office of the Minister of Public Works at Wellington.

The expression “three hundred dollars” was substituted, as from 10 July 1967, for the expression “one hundred and fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Southland Land District.

36 Authorizing exchange of lands between the Gore Borough Council and the Crown

Whereas the land described in subsection three hereof is vested in and held by the Corporation of the Borough of Gore in trust for a municipal endowment by virtue of an Order in Council dated the twelfth day of June, eighteen hundred and eighty-two: And whereas the land described in subsection four hereof forms portion of the Gore Domain controlled by the Gore Borough Council in its capacity as the Gore Domain Board: And whereas it is expedient that the said areas should be exchanged, and that the rentals derived from any future leasing of the last-mentioned area should be applied towards the maintenance and improvement of the aforesaid Gore Domain: Be it therefore enacted as follows:—

- (1) The Gore Borough Council may, notwithstanding anything to the contrary in any Act, transfer to His Majesty the King the land described in subsection three hereof freed and discharged from any reservation theretofore affecting the same, and thereupon the Governor-General shall, by Order in Council,—
 - (a) Declare that land to be a recreation reserve subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and to form part of the Gore Domain; and
 - (b) Cancel the reservation for domain purposes over the land described in subsection four hereof and declare it to be vested in the Corporation of the Borough of Gore in trust without power of sale as a municipal endowment.
- (2) All revenue derived by the Gore Borough Council from the land referred to in paragraph (b) of the last preceding subsection shall be paid by it into the Gore Domain Account, and shall be applied, subject to the provisions of the Public Reserves and Domains Act 1908, in or towards the maintenance and improvement of the said domain.

- (3) The land that may be transferred to His Majesty by the Gore Borough Council as aforesaid is particularly described as follows:—
 All that area in the Southland Land District, being Section 25, Block XVI, Town of Gore, containing by admeasurement six acres three roods seven perches, more or less: bounded on the north by Section 26, Block XVI aforesaid; on the east by Main Street; on the south by Section 24, Block XVI aforesaid; and on the west by Broughton Street.
- (4) The land which may be vested in the Corporation of the Borough of Gore pursuant to paragraph (b) of subsection one hereof is particularly described as follows:—
 All that area in the Southland Land District in the Town of Gore, containing by admeasurement four acres two roods thirty and two-tenths perches, more or less: bounded towards the north by Oldham Street, 803.4 links; towards the east by Gorton Street, 505 links; towards the south by Hyde Street, 1077.2 links; and towards the north-west by railway reserve, 574 links.

Schedule
Reserves made available for disposal
under the Land Act 1924.

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
<i>North Auckland Land District</i>			
1	Allotment 313A (formerly described as Allotment 313), Waipu Parish, in the North Auckland Land District, containing 150 acres	Resting-place for travelling stock	Warrant dated 13th April, 1892, and published in <i>Gazette</i> of 21st April, 1892.

Auckland Land District

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
2	South-eastern portion of Section 1, and Sections 2, 14, 15, 16, 17, Block I, Town of Paeroa, in the Auckland Land District, containing 1 rood 26.2 perches	Site for post-office	Warrant dated 14th December, 1912, and published in <i>Gazette</i> of 19th December, 1912.
<i>Gisborne Land District</i>			
3	Section 134 of the Suburbs of Te Puia Township, containing 35 acres and 30 perches	Use of Department of Agriculture, Industries, and Commerce	Warrant dated 3rd December, 1913, and published in <i>Gazette</i> of 4th December, 1913.
<i>Taranaki Land District</i>			
4	Section 5, Block VII, Heao Survey District, in the Taranaki Land District, containing 38 acres and 25 perches	Papa-burning	Warrant dated 11th January, 1912, and published in <i>Gazette</i> of 18th January, 1912.
<i>Wellington Land District</i>			
5	Sections 136, 137, 138, and 139, Suburbs of Makuri, in the Wellington Land District, containing 3 acres 1 rood 29 perches	Police purposes	Warrant dated 3rd December, 1895, and published in <i>Gazette</i> of 5th December, 1895.
<i>Marlborough Land District</i>			

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
6	Sections 302, 304, 957, 958, 959, 965, 967, 969, 971, 973, 975, 977, 989, 991, 993, 995, 997, and 999, Town of Picton, in the Marlborough Land District, containing 4 acres 2 roods	Railway purposes	Crown grant to the Superintendent of the Province of Marlborough, dated 28th May, 1873.
7	Section 18, Block XI, Puhipuhi Survey District, in the Marlborough Land District, containing 522 acres	Resting-place for stock	Crown grant to the Superintendent of the Province of Marlborough, dated 27th January, 1866.
8	All that area in the Marlborough Land District, containing 126 acres, more or less, being the remaining portion of Section 1, Block VII, Hundalee Survey District, after deducting the land taken for road by Proclamation published in <i>Gazette</i> of 12th January, 1922	Accommodation-house	Warrant dated 10th January, 1901, and published in <i>Gazette</i> of 17th January, 1901.

Nelson Land District

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
9	Sections 746, 747, and part 748, City of Nelson, in the Nelson Land District, containing 2 acres and 25 perches	Site for a gaol	Warrant dated 8th October, 1908, and published in <i>Gazette</i> of 15th October, 1908.
<i>Westland Land District</i>			
10	Reserve 914, Block VIII, Kanieri Survey District, in the Westland Land District, containing 112 acres	Scenic purposes	Warrant dated 22nd May, 1905, and published in <i>Gazette</i> of 1st June, 1905, and Proclamation dated 14th August, 1919, and published in <i>Gazette</i> of 21st August, 1919.
<i>Otago Land District</i>			
11	Sections 6 and 7, Block XXX, Township of Kaitangata, in the Otago Land District, containing 2 roods 24 perches	Site for a telegraph-station or other purposes of the General Government	Order in Council dated 15th February, 1876, and published in <i>Gazette</i> of the 17th February, 1876.