

**Reprint  
as at 26 August 1981**



**Hamilton Domain Endowment Act  
1979**

Local Act    1979 No 5  
Date of assent    7 September 1979  
Commencement    7 September 1979

**Contents**

	Page
Title	2
1 Short Title	2
2 Interpretation	2
3 Land vested in Corporation	3
4 Land to be held for endowment for a reserve	3
5 Land may be sold to lessees	3
6 Application of purchase money	7
7 Administration of land purchased	8
8 Land may be transferred to Crown	8
9 Certificates of title	8
10 Reserves Act 1977 to be read subject to this Act	9
11 Repeals	9
<b>Schedule 1</b>	<b>10</b>
<b>South Auckland Land Registration District</b>	

---

**Note**

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

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

---

Schedule 2	14
South Auckland Land Registration District	
Schedule 3	17
South Auckland Land Registration District	

---

**An Act to vest and to vary the terms of vesting of certain land in the Hamilton City Council as endowment for reserves**

**1 Short Title**

This Act may be cited as the Hamilton Domain Endowment Act 1979.

**2 Interpretation**

In this Act, unless the context otherwise requires,—

**approved guarantor** means any person, body, society, or corporation acceptable to the Council in its own discretion as a guarantor of the obligations of a mortgagor under a second mortgage of a fee simple estate

**Board** means the Hamilton Domain Board charged under section 16(3) of the Reserves Act 1977 with the continued control and management of those reserves formerly administered by the Board as part of the Hamilton Domain under the Reserves and Domains Act 1953

**community organisation** means any body, society, or corporation or the trustee for any body, society, or corporation the activities of which are, in the opinion of the Council in its own discretion, not for the private pecuniary profit of any members of the body, society, or corporation, or trustee, as the case may be

**Corporation** means the Mayor, Councillors, and Citizens of the City of Hamilton

**Council** means the Hamilton City Council

**reserve** shall have the same meaning (so far as it is applicable) as that contained in section 2(1) of the Reserves Act 1977.

Section 2 **approved guarantor**: inserted, on 26 August 1981, by section 2 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 2 **community organisation**: inserted, on 26 August 1981, by section 2 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

### **3 Land vested in Corporation**

- (1) The land described in Schedule 1 and Schedule 2 of this Act vested in the Corporation for the purposes of the Hamilton Domain Endowment Act 1965 or the Hamilton Domain Endowment Act 1971, by the provisions of those Acts and also by the provisions of section 2 of the Reserves and other Lands Disposal Act 1967, shall henceforth stand vested in the Council for the purposes of this Act in all cases subject to all leases, encumbrances, liens, or easements to which it is subject at the commencement of this Act, but otherwise freed and discharged from all trusts and reservations affecting the same.
- (2) The land described in Schedule 3 is hereby vested in the Council for the purposes of this Act in all cases subject to all leases, encumbrances, liens, or easements to which it is subject at the commencement of this Act, but otherwise freed and discharged from all trusts and reservations affecting the same.
- (3) The said land shall not be subject to the provisions of the Hamilton Domains Act 1911, but nothing in this Act shall affect the leases or the rights of lessees in leases issued under that Act.

### **4 Land to be held for endowment for a reserve**

The land referred to in section 3 of this Act shall henceforth be held in trust by the Council as an endowment for reserves and may be leased by the Council under the Public Bodies Leases Act 1969. Extensions, variations, and renewals of existing leases of the said land may be entered into and executed by the Council in accordance with the provisions of such existing leases. The future rents and revenues from the said land shall be transferred by the Council to the Board and shall form part of the funds of the Board.

### **5 Land may be sold to lessees**

- (1) Where any portion of the land vested in the Council for the purposes of this Act by the provisions of section 3 of this Act has, whether before or after commencement of this Act, been

leased (pursuant to the Hamilton Domains Act 1911 and its amendments, or this Act or any other Act) under paragraphs (e), (f), or (g) of section 5 of the Public Bodies Leases Act 1908, or paragraphs (e), (f), or (g) of section 7(1) of the Public Bodies Leases Act 1969, the Council may sell and transfer to the lessee thereof the fee simple of the land comprised in the lease:

provided that simultaneously such lessee at his own cost and to the satisfaction of the Council arranges for the registration of the effective merger of his leasehold interest in such fee simple or otherwise for the effective extinguishment of his leasehold interest:

provided also that the provisions of this section shall not apply to the land described in Part 2 of Schedule 2 of this Act, the same having been acquired pursuant to section 6(c) of the Hamilton Domain Endowment Act 1971.

- (2) Any such sale shall be on the basis of the current land value of the land, as determined by the Council after obtaining a valuation from a registered valuer for that purpose or as fixed by arbitration in the manner provided for in the Arbitration Act 1908, together with—
  - (a) the value as determined by the Council of any improvements on the said land effected by the Corporation or by the Council or by any previous proprietor of the fee simple and not previously purchased by the lessee or any previous lessee; and
  - (b) all valuation, survey, and other expenses of the Council relating to the fixation of the sale price and the sale and transfer of the fee simple to the lessee:

provided that, where the lessee elects to have the value fixed by arbitration, then, notwithstanding any of the provisions of the Arbitration Act 1908 (including Schedule 2 thereto), all costs of the reference and award including arbitrators' and umpires' fees and charges shall be paid by the lessee.
- (3) On the completion of any sale and transfer the land affected thereby shall be freed from the trusts imposed by sections 3 and 4.

- (4) In subsection (2) the terms **improvements** and **land value** shall have the same meanings as those contained in section 2 of the Valuation of Land Act 1951 save that in determining land value no reduction shall be made as a result of the existence of the lease to the purchaser at the time of sale and transfer.
- (5) Where the fee simple estate in the land is sold to the lessee under the provisions of this section, the Council at its own discretion may, subject to subsections (6) to (8), accept in lieu of a total cash payment a registerable mortgage of the said estate securing to the Council not more than 90% of the total amount payable by the lessee under subsection (2), but excluding therefrom the sums referred to in subsection (2)(b) (the amount secured being hereinafter referred to as the **principal sum**).
- (6) Where the mortgagor under a mortgage that is accepted under subsection (5) is a community organisation, the following provisions shall apply—
  - (a) the Council at its own discretion may accept as security for the principal sum either a registerable first mortgage of the said estate or alternatively a registerable second mortgage of the said estate guaranteed by an approved guarantor:
  - (b) the principal sum and all other money secured to the Council by the terms of any mortgage accepted by it shall at the option of the Council become due and payable and may forthwith be called up if during the term thereof the use of the said land is changed without the consent of the Council given in its capacity as mortgagee:
  - (c) any mortgage accepted by the Council shall otherwise be subject to such terms and conditions as may appear to the Council to be appropriate.
- (7) Where the land mortgaged under a mortgage that is accepted under subsection (5) is land which, at the time of both the sale and transfer of the land to the mortgagor, is zoned by the Council as Residential I or Residential II or Residential III under the provisions of the Town and Country Planning Act 1977 and in the opinion of the Council (whose decision shall be final) 1 (but not more than 1) self-contained home or

residence for the purposes of a single house-keeping unit to be used by the transferee is either then erected upon the said land or is likely to be erected thereon within 2 years after the date of the completion of the sale, the following provisions shall apply:

- (a) the Council at its own discretion may accept as security for the principal sum either a registerable first mortgage of the said estate or alternatively a registerable second mortgage of the said estate guaranteed by an approved guarantor:
  - (b) the principal sum and all other money secured to the Council by the terms of any mortgage accepted by it shall at the option of the Council become due and payable and may forthwith be called up if—
    - (i) any self-contained home or residence for the purpose of a single house-keeping unit that the mortgagor covenants as a term of the mortgage to have erected upon the mortgaged land is not so erected within the prescribed time; or
    - (ii) during the term thereof more than 1 self-contained home or residence for the purposes of a single house-keeping unit is erected upon the mortgaged land; or
    - (iii) during the term thereof the one self-contained home or residence for the purposes of a single house-keeping unit erected upon the mortgaged land is not occupied as owner by the mortgagor or by the spouse or former spouse of the mortgagor:
  - (c) any mortgage accepted by the Council shall otherwise be subject to such terms and conditions as may appear to the Council to be appropriate.
- (8) In every other case where a mortgage is accepted under subsection (5), that mortgage shall be a registerable first mortgage of the fee simple estate.

- (9) Except as provided in subsections (5) to (8), any mortgage accepted by the Council shall be subject to such terms and conditions as may appear to the Council to be appropriate: provided that—
- (a) where the mortgagor is not a community organisation and the land mortgaged is zoned by the Council as Residential II or Residential III under the provisions of the Town and Country Planning Act 1977, the rate of interest payable shall, while not more than 1 self-contained home or residence for the purposes of a single house-keeping unit is erected upon the mortgaged land and is occupied by the mortgagor or by the spouse or former spouse of the mortgagor, be not more than 0.5% per annum more than the rate of interest that would have been payable if subsection (7) had been applicable; and
  - (b) where the mortgagor is a community organisation, the rate of interest payable shall be the same as the rate of interest that would have been payable if subsection (7) had been applicable.

Section 5(4): substituted, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 5(5): substituted, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 5(6): substituted, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 5(7): added, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 5(8): added, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Section 5(9): added, on 26 August 1981, by section 3 of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

## **6 Application of purchase money**

Where the fee simple of the land is sold to the lessee under section 5 of this Act, the purchase money shall be paid by the Council to the Hamilton Domain Sales Account established under section 6 of the Hamilton Domain Endowment Act 1965 (henceforth to be known as the Hamilton Reserves Sales Account) and the money, together with interest accruing thereon from the investment thereof, or any part thereof, may be ap-

plied by the Council as it may from time to time think fit, as follows:

- (a) by transfer to the Board to meet the cost of improvement or development of recreation reserves:
- (b) in or towards the purchase of land to be acquired in the name of Her Majesty the Queen as a recreation reserve:
- (c) in the purchase of land to be acquired in the name of the Council for the purposes of this Act.

**7 Administration of land purchased**

Where any land is acquired pursuant to section 6(c), the land shall be held by the Council as if the land had been vested in the Council by section 3, but the provisions of section 5 shall not apply to land so acquired.

**8 Land may be transferred to Crown**

Any land subject to this Act which is not for the time being leased may at any time be transferred to Her Majesty the Queen for a recreation reserve pursuant to section 12 of the Reserves Act 1977.

**9 Certificates of title**

On application by or on behalf of the Council, the District Land Registrar for the South Auckland Land Registration District shall without fee note upon the certificates of title for the land referred to in Schedules 1 and 2 that the said land is now vested in the Council, for the purposes of this Act, and shall also without fee register the Council as the proprietor of the land referred to in Schedule 3, or, where no certificate of title for the land is in existence or where there is no duplicate of an existing certificate of title, on payment of the prescribed fee and on the deposit with him of such plans as he may require, issue a certificate of title for the land in the name of the Council. The said District Land Registrar is hereby empowered to do all such other things as may be necessary to give effect to this Act.



**10 Reserves Act 1977 to be read subject to this Act**

Notwithstanding the provisions of section 5(2) of the Reserves Act 1977, the provisions of that Act shall be read subject to the provisions of this Act.

**11 Repeals**

The following enactments are hereby repealed:

- (a) the Hamilton Domain Endowment Act 1965;
  - (b) *Amendment(s) incorporated in the Act(s)*.
  - (c) the Hamilton Domain Endowment Act 1971.
-

**Schedule 1**  
**South Auckland Land Registration**  
**District**

All those pieces of land situated in the City of Hamilton, described as follows:

- 1 1 179 square metres, more or less, being part Allotment 337, Town of Hamilton East. Certificate of title, 6B/1102.
- 2 6 779 square metres, more or less, being Lots 1 and 4, DP 23358, and Lots 2, 3, 5, 6, and 7, DP 37120, being part Allotments 95, 96, and 97, Town of Hamilton East. Certificate of title, 6A/847.
- 3 5 777 square metres, more or less, being Lot 2, DP 28987, and Lots 3, 4, 5, 6, and 8, DP S 95, being part of Allotment 405A, Town of Hamilton East. Certificates of title 6A/849 and 6B/1490.
- 4 2 036 square metres, more or less, being Lot 2, DP 30604, being Allotment 340, Town of Hamilton East. Certificate of title, 748/121.
- 5 2 041 square metres, more or less, being Lot 2, DP 32417, being Allotment 244, Town of Hamilton East. Certificate of title, 830/225.
- 6 4 032 square metres, more or less, being Lots 1 and 2, DP 33843, being Allotments 324A and 325A, Town of Hamilton East. Certificate of title, 883/249.
- 7 3 409 square metres, more or less, being Lots 1, 2, and 3, DP 34090, being part Allotment 369, Town of Hamilton East. Certificate of title, 881/163.
- 8 4 923 square metres, more or less, being Lots 1, 2, 3, 4, and 6, DP 34426, being part Allotments 176, 177, and 178, Town of Hamilton East. Certificate of title, 6A/845.
- 9 3 216 square metres, more or less, being Lots 2, 4, 6, and 10, DP 35144, being part Allotments 383 and 384, Town of Hamilton East. Certificates of title 7B/2, 7B/4, 7B/6, 7B/9.
- 10 810 square metres, more or less, being Lot 1, DP 35054, being part Allotment 370, Town of Hamilton East. Certificate of title, 897/147.
- 11 1 618 square metres, more or less, being Lot 1, DP 35365, and Lot 1, DP S 1797, being part Allotment 245, Town of Hamilton East. Certificate of title, 6A/853.

- 12 3 037 square metres, more or less, being Lots 1 and 3, DP 35419, being Allotment 181, Town of Hamilton East. Certificate of title, 900/22.
- 13 4 321 square metres, more or less, being Lot 2, DP 35784, and Lots 1, 2, 3, 4, DP S 5647, being part Allotments 173, 174, and 175, Town of Hamilton East. Certificate of title, 6A/852.
- 14 4 834 square metres, more or less, being Lots 1, 3, and Part 4, DP 35785, and Lots 1 and 2, DP S 2820, being part Allotments 372, 372A, 373, and 373A, Town of Hamilton East. Certificate of title, 6A/850.
- 15 4 243 square metres, more or less, being Lots 1, 3, 5, and 7, DP 35797, being part Allotments 176, 177, and 178, Town of Hamilton East. Certificate of title, 914/75.
- 16 5 628 square metres, more or less, being Lots 1 and 2, DP 35935, Lot 2, DP 37427, being part Allotment 352, Town of Hamilton East. Certificate of title, 7C/476.
- 17 4 679 square metres, more or less, being Lots 4, 6, 8, and 9, DP 36048, being part Allotments 380, 381, and 382, Town of Hamilton East. Certificates of title, 7C/1256, 7C/1258, 7C/1260, 7C/1261.
- 18 1 275 square metres, more or less, being Lot 1, DP 36307, being part Allotment 178, Town of Hamilton East. Certificate of title, 922/76.
- 19 2 208 square metres, more or less, being Lots 1 and 2, DP 36433, being part Allotments 338 and 339, Town of Hamilton East. Certificate of title, 6A/851.
- 20 3 200 square metres, more or less, being Lots 1, 2, 4, and 5, DP 36970, being part Allotment 164, Town of Hamilton East. Certificate of title, 940/91.
- 21 2 481 square metres, more or less, being Lots 1, 2, and 4, DP 37327, being part Allotment 159, Town of Hamilton East. Certificate of title, 1B/913.
- 22 3 374 square metres, more or less, being Lots 1, 3, 4, and 5, DP S 176, being part Allotment 183, Town of Hamilton East. Certificate of title, 969/273.
- 23 1 077 square metres, more or less, being Lot 3, DP S 177, being Allotment 367 and part Allotment 368, Town of Hamilton East. Certificate of title, 969/272.

- 24 5 133 square metres, more or less, being Lots 4 to 8, DP S 484, being Allotments 162 and 163, Town of Hamilton East. Certificate of title, 986/184.
- 25 2 035 square metres, more or less, being Lot 2, DP S 905, and Lot 3, DP S 2155, being Allotment 210, Town of Hamilton East. Certificate of title, 19B/1058.
- 26 3 022 square metres, more or less, being Lots 1, 3, and 4, DP S 1095, being Allotment 182, Town of Hamilton East. Certificate of title, 1015/99.
- 27 2 700 square metres, more or less, being Lots 3, 4, 6, and 7, DP S 1200, being Allotment 157 and part Allotment 156, Town of Hamilton East. Certificate of title, 992/136.
- 28 7 039 square metres, more or less, being Lots 1 to 5, 7, and 8, DP S 1525, being Allotments 387 and 388, Town of Hamilton East. Certificates of title 1053/20, 1053/21.
- 29 4 335 square metres, more or less, being Lots 2, 3, and 5, DP S 1672, being Allotments 349 and 350, Town of Hamilton East. Certificate of title, 1050/5.
- 30 3 037 square metres, more or less, being Lots 1 and 2, DP S 3236, being part Allotment 385 and Allotment 386, Town of Hamilton East. Certificate of title, 6A/848.
- 31 5 944 square metres, more or less, being Lot 4, DP S 2059, and Lots 1, 2, and 3, DP S 3516, being part Allotments 322 and 323, Town of Hamilton East. Certificates of title, 24D/260, 24D/261, 24D/262, and 24D/263.
- 32 2 261 square metres, more or less, being Lots 6, 7, and 8, DP S 2099, being Allotments 160 and 161, Town of Hamilton East. Certificate of title, 1B/915.
- 33 4 132 square metres, more or less, being Lots 1, 3 to 5, 8, and 9, DP S 4051, being part Allotments 281 and 282, Town of Hamilton East. Certificates of title, 6A/856, 6A/858, 6A/855, 6A/860, 6A/862, and 6A/863.
- 34 1 996 square metres, more or less, being Lot 2, DP S 5313, being Allotment 366, Town of Hamilton East. Certificate of title, 6B/1104.
- 35 1 045 square metres, more or less, being Lot 1, DP S 5386, being part Allotment 389, Town of Hamilton East. Certificate of title, 6A/1236.

- 36 2 049 square metres, more or less, being Lot 1, DP S 6540, being part Allotment 343, Town of Hamilton East. Certificate of title, 6A/1235.
- 37 2 079 square metres, more or less, being Lots 3 and 4, DP S 6679, being part Allotment 321, Town of Hamilton East. Certificates of title, 8B/1005 and 6A/1239.
- 38 1 007 square metres, more or less, being Lot 1, DP S 9105, being part Allotment 389, Town of Hamilton East. Certificate of title, 3B/119.
- 39 3 407 square metres, more or less, being Lot 2, DP S 9966, being Allotment 344, Town of Hamilton East. Certificate of title, 6A/1238.
- 40 4 046 square metres, more or less, being Allotment 331, Town of Hamilton East. No registration.
- 41 1 995 square metres, more or less, being part Allotment 389, Town of Hamilton East. No registration.
- 42 1 847 square metres, more or less, being part Allotment 337, DP 16778, Town of Hamilton East. Certificate of title, 6B/1101.
- 43 812 square metres, more or less, being Lot 1, DP S 12886, being part Allotment 365, Town of Hamilton East. Certificate of title, 10C/1499.
- 44 1 012 square metres, more or less, being Lot 1, DP S 1200, being part Allotment 156, Town of Hamilton East. Certificate of title, 6D/1149.
- 45 1 012 square metres, more or less, being Lot 2, DP 35785, being part Allotments 372A and 373A, Town of Hamilton East. Certificate of title, 6D/1171.
- 46 726 square metres, more or less, being Lot 4, DP 37120, being part Allotment 96, Town of Hamilton East. Certificate of title, 6D/1172.
- All the above are situated in Block II, Hamilton Survey District.
-

**Schedule 2**  
**South Auckland Land Registration**  
**District**

All those pieces of land situated in the City of Hamilton, described as follows:

**Part 1**

- 47 1 284 square metres, more or less, being Lot 2, DP 30427, part Allotment 195, Town of Hamilton West. Certificate of title, 408/11.
- 48 2 333 square metres, more or less, being Lots 1 and 2, DP S 1269, being Allotment 149, Town of Hamilton West. Certificate of title, 16D/1084.
- 49 1 046 square metres, more or less, being Lot 1, DP 30856, being Allotment 399A, Town of Hamilton West. Certificate of title, 430/255.
- 50 1.2783 hectares, more or less, being Lots 4 to 12 inclusive, DP 19982, and the land on DP 16780, Town of Hamilton West. Certificate of title, 445/101.
- 51 1 348 square metres, more or less, being Lots 1 and 2, DP 23945, being part Allotment 146, Town of Hamilton West. Certificate of title, 630/20.
- 52 2 571 square metres, more or less, being Lots 1 and 2, DP 33061, being Allotment 142, Town of Hamilton West. Certificate of title, 20C/318.
- 53 635 square metres, more or less, being Lot 1, DP 36658, being part Allotment 147, Town of Hamilton West. Certificate of title, 929/62.
- 54 1 315 square metres, more or less, being Lot 1, DP S 3546, being part Allotment 195, Town of Hamilton West. Certificate of title, 13D/429.
- 55 994 square metres, more or less, being Lot 1, DP S 4050, being part Allotment 147, Town of Hamilton West. Certificate of title, 13D/430.
- 56 1 388 square metres, more or less, being Lots 1 and 2, DP S 5767, being part Allotment 146, Town of Hamilton West. Certificate of title, 13D/434.

Part 1—*continued*

- 57 2 046 square metres, more or less, being Lot 1, DP S 12212, being part Allotment 170, Town of Hamilton West. Certificate of title, 8B/949.
- 58 675 square metres, more or less, being Part Allotment 147, Town of Hamilton West. New Zealand Statutes 1971, p 2452. All the above are situated in Block XIII, Komakorau Survey District.
- 58A 4 077 square metres, more or less, being Lots 1, 2, and 3, DP S 3371, situated in Block XIII, Komakorau Survey District. All certificate of title, No 13D/428.
- 58B 1 542 square metres, more or less, being Lot 1 DP 30427, situated in Block XIII, Komakorau Survey District. Balance certificate of title, Volume 408, folio 11.
- 59 3 015 square metres, more or less, being Lots 1 and 2, DP 27332, being part Allotment 369, Town of Hamilton West. Certificate of title, 692/359.
- 60 913 square metres, more or less, being part Allotment 335, Town of Hamilton West (DP 28864). Certificate of title, 715/102.
- 61 9 105 square metres, more or less, being Lots 1, 2, 3, 4, 5, 6, 8, 9, and 11, DP 16856, being part Allotment 21, Hamilton West Town Belt. Certificate of title, 1021/148.
- 62 2 145 square metres, more or less, being all the land on DP S 1912, Allotment 376A, Town of Hamilton West. Certificate of title, 1068/33.
- 63 1 475 square metres, more or less, being Lot 2, DP S 15139, being part Allotments 21 and 53, Hamilton West Town Belt. Certificate of title, 13D/426.
- 64 1.1278 hectares, more or less, being Lots 2, 3, 4, 6, 7, and 8, DP S 1225, being part Allotments 21 and 53, Hamilton West Town Belt. Certificate of title, 13D/424.
- 65 1 012 square metres, more or less, being Lot 1, DP S 15139, being part Allotments 21 and 53, Hamilton West Town Belt. Certificate of title, 13D/425.
- 66 1 012 square metres, more or less, being Lot 1, DP S 4212, being part Allotment 335, Town of Hamilton West. Certificate of title, 13D/431.

Part 1—*continued*

- 67 825 square metres, more or less, being Lot 3, DP S 15139, being part Allotment 21, Hamilton West Town Belt. Certificate of title, 13D/427.
- 68 1 385 square metres, more or less, being Lot 3, DP S 7943, being part Allotments 21 and 53, Hamilton West Town Belt. Certificate of title, 2A/1310.
- 69 911 square metres, more or less, being Lot 1, DP S 4249, being part Allotment 335, Town of Hamilton West. Certificate of title, 13D/432.
- All the above are situated in Block II, Hamilton Survey District.
- 70 465 square metres, more or less, being Lot 7, DP 9051, being part Allotment 1, Parish of Te Rapa. Certificate of title, 723/268.
- 71 1 110 square metres, more or less, being Lot 1, DP 33756, being part Allotments 335 and 337, Town of Hamilton West. Certificate of title, 858/84.
- 72 1 189 square metres, more or less, being Lot 1, DP S 5486, being part Allotment 337, Town of Hamilton West. Certificate of title, 13D/433.
- All the above are situated in Block I, Hamilton Survey District.

## Part 2

- 73 1 228 square metres, more or less, being Lot 1, DP S 26344, being part Allotment 1, Parish of Te Rapa. Certificate of title, 24C/333. Situated in Block I, Hamilton Survey District.

Schedule 2 item 58A: inserted, on 26 August 1981, by section 4(1) of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L))

Schedule 2 item 58B: inserted, on 26 August 1981, by section 4(1) of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L))

---



### Schedule 3

## South Auckland Land Registration District

All those pieces of land situated in the City of Hamilton, described as follows:

- 74 718 square metres, more or less, being Lot 1, DP 33528, being part Allotment 251, Town of Hamilton West. Certificate of title, 844/223.
- 75 3 386 square metres, more or less, being Lots 1 and 2, DP S 4650, being part Allotment 251, Town of Hamilton West. Certificate of title, 1295/48.
- 76 1.1288 hectares, more or less, being Part Allotment 454, Town of Hamilton West. Part *Gazette* 1886/596, 1886/448.
- All the above are situated in Block I, Hamilton Survey District.
- 77 1 574 square metres, more or less, being Lot 1, DP 20961, situated in Block XIII, Komakorau Survey District. Balance certificate of title, Volume 474, folio 155.
- 78 4 046 square metres, more or less, being Allotment 303, Town of Hamilton East, situated in Block II, Hamilton Survey District. All certificate of title, Volume 379, folio 262 (SO Plan 201).
- 79 1 401 square metres, more or less, being Lots 7 and 8, DP 34426, situated in Block II, Hamilton Survey District. All certificate of title, No 6D/942.

Schedule 3 item 77: added, on 26 August 1981, by section 4(3) of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Schedule 3 item 78: added, on 26 August 1981, by section 4(3) of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

Schedule 3 item 79: added, on 26 August 1981, by section 4(3) of the Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L)).

## Hamilton Domain Endowment Amendment Act 1981

Local Act 1981 No 1  
Date of assent 26 August 1981  
Commencement 26 August 1981

### 1 Short Title

This Act may be cited as the Hamilton Domain Endowment Amendment Act 1981, and shall be read together with and deemed part of the Hamilton Domain Endowment Act 1979 (hereinafter referred to as “the principal Act”).

### 4 Additions to schedules

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) In relation to the land described in items 58A and 58B in Part 1 of Schedule 2 of the principal Act, section 3(1) of the principal Act shall have effect as if there were substituted—
  - (a) for the word “henceforth”, the words “as from the commencement of the Hamilton Domain Endowment Amendment Act 1981”; and
  - (b) for the words “at the commencement of this Act”, the words “at the commencement of the Hamilton Domain Endowment Amendment Act 1981”.
- (3) *Amendment(s) incorporated in the Act(s).*
- (4) In relation to the land described in items 77 to 79 in Schedule 3 of the principal Act, section 3(2) of the principal Act shall have effect as if, for the words “at the commencement of this Act”, there were substituted the words “at the commencement of the Hamilton Domain Endowment Amendment Act 1981”.
- (5) In relation to the land described in items 58A and 58B in Part 1 of Schedule 2 of the principal Act and in items 77 to 79 in Schedule 3 of the principal Act, section 4 of the principal Act shall have effect as if, for the word “henceforth”, there were substituted the words “as from the commencement of the Hamilton Domain Endowment Amendment Act 1981”.

## **Contents**

- 1 General
  - 2 Status of reprints
  - 3 How reprints are prepared
  - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
  - 5 List of amendments incorporated in this reprint (most recent first)
- 

## **Notes**

### **1 *General***

This is a reprint of the Hamilton Domain Endowment Act 1979. The reprint incorporates all the amendments to the Act as at 26 August 1981, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989***

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5** *List of amendments incorporated in this reprint  
(most recent first)*

Hamilton Domain Endowment Amendment Act 1981 (1981 No 1 (L))

---