

**Reprint  
as at 1 April 1949**



## **Reserves and other Lands Disposal Act 1932–33**

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**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.

**This Act is administered by Land Information New Zealand.**

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**An Act to provide for the sale, reservation, and other disposition of certain reserves, Crown lands, endowments, and other lands, to validate certain transactions, and to make provision in respect of certain other matters**

**1 Short Title**

This Act may be cited as the Reserves and other Lands Disposal Act 1932–33.

**2 Authorising the Waihou Domain Board to borrow £250 for the purpose of effecting improvements**

Whereas the Waihou Domain Board desires to effect improvements on the lands under its control:

And whereas the Board has not sufficient moneys in hand to carry out the proposed works, which are urgently necessary in the interests of public health:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, and without further authority than this section, the Waihou Domain Board may, for the purpose of effecting improvements on the lands under its control, borrow at any time before 1 April 1934 by way of bank overdraft a sum not exceeding 250 pounds, and pledge as security for repayment thereof the rents and profits derived from such lands.

**3 Authorising leasing of portion of Kawhia Domain under special conditions**

Whereas the land known as Kawhia S No 2A Block is held by William Wasley Davies, of Kawhia, farmer, under lease Number 14576, issued by the Waikato–

Maniapoto District Maori Land Board, for a term of 21 years from 11 June 1928:

And whereas that portion of the said land described in subsection (5) is occupied by the Kawhia Domain Board (hereinafter called the **Board**) for domain purposes under an arrangement entered into with the lessee:

And whereas that portion of the Kawhia Domain (hereinafter called the **Domain**) described in subsection (6) is occupied by the said William Wasley Davies under an arrangement entered into with the Board:

And whereas the Board proposes to acquire the land described in subsection (5) as an addition to the Domain, and in consideration of the said William Wasley Davies surrendering his existing rights over such land it has been agreed to grant him a lease under special conditions over that portion of the Domain at present occupied by him:

Be it therefore enacted as follows:

- (1) On the surrender by the lessee of his interest in lease Number 14576 as aforesaid so far as the land described in subsection (5) is concerned, and on the acquisition of the said land by the Board as an addition to the Domain, it shall be lawful, notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928, for the Governor-General to issue, upon such terms and conditions as he may think proper, a lease over that portion of the Domain described in subsection (6) to William Wasley Davies, of Kawhia, farmer, or to such other person as may be agreed upon, for a term of 21 years:  
provided that such lease shall contain a provision to the effect that the lessee shall at any time during the currency of such lease have the right to purchase the fee simple of the land comprised therein at a price equivalent to the Government unimproved valuation of the land made for the purposes of this section at the time the lessee elects to purchase:  
provided further that such lease shall also contain a provision to the effect that if the lessee shall fail to exercise his right to acquire the fee simple of the land during the currency of such lease, the land comprised therein, together with all improvements thereon, shall revert absolutely to the Crown.
- (2) The rental reserved under any lease granted under the provisions of this section shall be paid to the Board, and shall be applied towards the general management, administration, and improvement of the Domain.
- (3) In the event of the lessee exercising the right to acquire the fee simple of the land comprised in any lease granted as aforesaid, the purchase money shall likewise be paid to the Board, and shall be applied towards the general management, administration, and improvement of the Domain.
- (4) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed, subject to the receipt by him of a Warrant in that behalf under the hand of the Governor-General, to issue a certificate of title to the land described in subsection (6) in favour of the purchaser of such

land, freed and discharged from the reservation for domain purposes theretofore affecting the same.

- (5) The portion of the land known as Kawhia S No 2A Block which the Board proposes to acquire as aforesaid as an addition to the Domain is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 2 acres 3 roods 22 perches, more or less, being part Kawhia S No 2A Block, situated in Blocks IX and X, Kawhia North Survey District, and bounded as follows: towards the north-east by Kawhia G No 1A 4 Block and Section 18 of Block I, Te Puru Maori Township, 37.1 links, 162.3 links, and 160.5 links; towards the east by Section 18 aforesaid and the abutment of Huki Street, 233.9 links; towards the south-east by Section 1, Block X, Kawhia North Survey District, 867 links; and towards the west and north-west by other part of Kawhia S No 2A Block, 318.7 links and 694.9 links respectively: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 1/68B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland Plan SO 28046).

- (6) The portion of the Domain which may be leased under special conditions as aforesaid is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 3 acres and 12 perches, more or less, being part Section 1, Block XI, Kawhia Township, and bounded as follows: towards the north generally by Kawhia S No 2B Block, 302.4 links, 484.6 links, 108.3 links, 102.3 links, 157 links, 116.3 links, 121.1 links, 244.9 links, and 1 039.8 links; towards the east by other part of Section 1, Block XI, Kawhia Township, 193.9 links; and towards the south generally by Rosamond Terrace, 199.9 links and 1 500.1 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 1/68B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland Plan SO 28046).

Section 3(5): amended (with effect on 10 March 1933), on 29 September 1939, by section 3(a) of the Reserves and other Lands Disposal Act 1939 (1939 No 23).

Section 3(6): amended (with effect on 10 March 1933), on 29 September 1939, by section 3(b) of the Reserves and other Lands Disposal Act 1939 (1939 No 23).

#### **4 Authorising Waihi Borough Council to sell certain land**

Whereas the land hereinafter described forms portion of an area of 28 acres 3 roods and 14 perches vested in the Corporation of the Borough of Waihi in trust as a site for a municipal abattoir by section 21 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1913:

And whereas it is expedient that the said Corporation should be empowered to sell the land so hereinafter described:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Corporation of the Borough of Waihi is hereby empowered to sell to the adjoining owner, Margaret Gallie or her successor in title, the land described in subsection (2) freed and discharged from the trusts, reservations, and restrictions affecting the same.
- (2) The land to which the last preceding subsection relates is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 8 acres 2 roods and thirty-three and six-tenths perches, more or less, being that portion of the Waihi Municipal Abattoir Reserve lying to the south-east of the East Coast Main Trunk Railway Reserve, and bounded as follows: commencing from the south-east corner of the said abattoir reserve, thence south-westerly along the north-western boundary of the Waihi Gold-mining Company's Tramway Reserve, 1 506.2 links; thence bearing 338°2', distance 791.4 links; thence easterly along the south-eastern boundary of the East Coast Main Trunk Railway Reserve, 1 181.2 links; thence bearing 133°32', distance 689.3 links, to the place of commencement: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 56513, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**5 Amending the boundaries of certain runs on border between the Otago and Southland Land Districts and the boundaries of Otago and Southland Land, Land Registration, and Deeds Registration Districts**

Whereas Run 202, Otago Land District, and Run 327A, Southland Land District, are lands reserved as an endowment for primary education:

And whereas certificates of title registered in Volume 192, folio 155, and Volume 195, folio 161, Otago Registry, have been issued in the name of His Majesty the King for Run 202, and a certificate of title registered in Volume 91, folio 258, Southland Registry, has been issued in the name of His Majesty the King for Run 327A together with other lands:

And whereas the land described in subsection (5) is included in both such certificates of title:

And whereas it is desirable that this defect should be remedied and that certain adjustments should be made to the boundaries of the aforesaid runs and of Run 253 (Otago Land District) and Run 529 (Southland Land District):

And whereas it is expedient that the boundary between the Otago and Southland Land Districts, Land Registration Districts, and Deeds Registration Districts, should be altered as hereinafter provided:

And whereas, in order to give effect to the aforesaid proposals, it is necessary that certain areas of Crown land should be reserved as an endowment for pri-

mary education, and that the reservation as an endowment for primary education over certain other lands should be cancelled:

Be it therefore enacted as follows:

- (1) The parcels of land described in subsections (8) and (9) are hereby reserved as an endowment for primary education, and hereafter the land described in subsection (8) shall form part of Run 327A (Southland Land District), and the land described in subsection (9) shall form part of Run 202 (Otago Land District).
- (2) The reservation as an endowment for primary education over the parcels of land described in subsections (7), (10), and (11) is hereby cancelled, and the said parcels of land are hereby declared to be Crown land subject to the provisions of the Land Act 1924, and hereafter the land described in subsection (7) shall form part of Run 253 (Otago Land District), and the land described in subsections (10) and (11) shall form part of Run 529 (Southland Land District).
- (3) The District Land Registrar for the Land Registration District of Southland is hereby empowered and directed to cancel certificate of title, Volume 91, folio 258, as to Run 327A, and to issue, without fee, a new certificate of title in the name of His Majesty the King for Run 327A, subject to the same trusts and conditions as are contained in certificate of title, Volume 91, folio 258, but excluding from such new certificate the parcels of land described in subsections (5), (6), and (7), and including the land described in subsection (8). Such new certificate of title shall be subject to all existing leases, licences, encumbrances, and other interests, if any, registered against the said certificate of title, Volume 91, folio 258, and affecting Run 327A. The lands described in subsections (5) and (6) so to be excluded from such new certificate shall hereafter form part of Run 202 (Otago Land District).
- (4) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed to cancel certificates of title, Volume 192, folio 155, and Volume 195, folio 161, and to issue in lieu thereof, without fee, a new certificate of title in the name of His Majesty the King for Run 202, subject to the same trusts and conditions as are contained in the certificates of title to be cancelled, but excluding from such new certificate the land described in subsections (10) and (11), and including therein the land described in subsections (6) and (9). Such new certificate of title shall be subject to all existing leases, licences, encumbrances, and other interests, if any, registered against the certificates of title to be cancelled.
- (5) The land referred to as being described in subsection (5) is the following:

All that parcel of land, containing by admeasurement 247 acres, more or less, situated in the Wakaia Survey District, and bounded as follows: commencing at a point 3 672.9 links due north from Trig K, Wendon Survey District, thence by right lines 270°, 946.8 links; 335°41'45", 8 385 links; 270°, 1 124.2 links; 63°16'8", 562.9 links; 91°44'40", 1 080 links; 74°53', 581.6 links; 48°43', 1 954.4 links; 116°12'50", 1 278 links; 115°25', 423.2 links; 103°12',

346.7 links;  $102^{\circ}36'$ , 44.7 links;  $180^{\circ}$ , 8 468.5 links, to the point of commencement.

- (6) The land referred to as being described in subsection (6) is the following:

All that parcel of land, containing by admeasurement 56 acres 3 roods 13 perches, more or less, situated in the Wakaia Survey District, and bounded as follows: commencing at the most western point of the land described in subsection (5), thence by right lines  $270^{\circ}$ , 5 890.3 links;  $53^{\circ}56'$ , 723.8 links;  $93^{\circ}27'$ , 597.5 links;  $55^{\circ}50'30''$ , 1 111.6 links;  $74^{\circ}2'30''$ , 1 220.8 links;  $81^{\circ}23'$ , 1 090.8 links;  $121^{\circ}42'30''$ , 2 397.5 links;  $243^{\circ}16'8''$ , 562.9 links, to the point of commencement.

- (7) The land referred to as being described in subsection (7) is the following:

All that parcel of land, containing by admeasurement 35 acres 2 roods 18 perches, more or less, situated in the Wakaia Survey District, and bounded as follows: commencing at the north-eastern corner of the land described in subsection (5) being a point 12 141.4 links due north from the aforesaid Trig K, thence by right lines  $282^{\circ}36'$ , 44.7 links;  $283^{\circ}12'$ , 346.7 links;  $295^{\circ}25'$ , 423.2 links;  $9^{\circ}48'40''$ , 1 366.3 links;  $9^{\circ}24'30''$ , 777.7 links;  $356^{\circ}24'20''$ , 2 828.1 links;  $11^{\circ}41''$ , 233.9 links;  $11^{\circ}25'40''$ , 2 325.8 links;  $32^{\circ}42'$ , 134.4 links;  $180^{\circ}$ , 7 828.2 links, to the point of commencement.

- (8) The land referred to as being described in subsection (8) is the following:

All that parcel of land, containing 31 acres, more or less, situated in the Wakaia Survey District, and bounded as follows: commencing at the northern point of the land described in subsection (7), thence towards the west by a right line bearing  $360^{\circ}$ , 6 550 links; and towards the east generally by Run 253, 6 694.6 links, to the point of commencement.

- (9) The land referred to as being described in subsection (9) is the following:

All that parcel of land, containing by admeasurement 198 acres 2 roods 30 perches, more or less, situated in the Wakaia Survey District, and bounded as follows: commencing at the most western point of the land described in subsection (5), thence by right lines  $243^{\circ}16'8''$ , 12 354.1 links;  $3^{\circ}13'$ , 304.7 links;  $3^{\circ}17'$ , 817.6 links;  $32^{\circ}5'40''$ , 1 061.7 links;  $72^{\circ}43'30''$ , 673.6 links;  $58^{\circ}48'$ , 543.7 links;  $68^{\circ}27'$ , 481.9 links;  $25^{\circ}12'$ , 321.5 links;  $25^{\circ}25'$ , 585.2 links;  $25^{\circ}23'30''$ , 816 links;  $66^{\circ}9'47''$ , 1 129.3 links;  $53^{\circ}56'$ , 1 469.8 links;  $90^{\circ}$ , 5 890.3 links, to the point of commencement.

- (10) The land referred to as being described in subsection (10) is the following:

All that parcel of land, containing by admeasurement 20 acres and 13 perches, more or less, situated in the Wakaia and Wendon Survey Districts, and bounded as follows: commencing at the most southern point of the land described in subsection (9), thence by right lines  $183^{\circ}13'$ , 207 links;  $182^{\circ}41'$ , 364.1 links;  $235^{\circ}18'$ , 426.9 links;  $235^{\circ}11'$ , 271.6 links;  $262^{\circ}40'$ , 969.8 links;  $248^{\circ}19'$ , 602.3 links;  $217^{\circ}41'$ , 422.1 links;  $213^{\circ}33'$ , 377.8 links;  $215^{\circ}42'$ , 350.6 links;  $279^{\circ}49'$ , 557.3 links;  $261^{\circ}37'$ , 205 links;  $261^{\circ}28'$ , 894.5 links;  $262^{\circ}$ ,

214.5 links; 243°43'30", 478.3 links; 243°41', 311.3 links; 63°16'8", 5 993.3 links, to the point of commencement.

- (11) The land referred to as being described in subsection (11) is the following:
- All that parcel of land, containing by admeasurement 7 acres 1 rood 11 perches, more or less, situated in the Wendon Survey District, and bounded as follows: commencing at the most southerly point of the land described in subsection (10), thence by right lines 294°52', 360.5 links; 295°, 279.5 links; 295°2', 367.4 links; 292°48', 432.6 links; 89°57'16", 2 492.3 links; 243°16'8", 1 321.5 links, to the point of commencement.
- (12) The boundaries of the Otago and Southland Land Districts, Land Registration Districts, and Deeds Registration Districts as described in Orders in Council dated 30 June 1924 and 20 December 1920, respectively, and published in *Gazettes* of 1924 and 1920 at pages 1582 and 3378, respectively, are hereby amended—
- (a) by excluding from the said Otago Districts and including in the said Southland Districts the parcels of land described in subsections (8), (10), and (11); and
- (b) by excluding from the said Southland Districts and including in the said Otago Districts the parcels of land described in subsections (6), (7), and (9).
- (13) The several parcels of land described in subsections (5) to (11), inclusive, are more particularly shown on a plan marked L and S 20/52, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon bordered red, blue, yellow, violet, sepia, green, and sienna, respectively.
- (14) Where pursuant to this section any land has been declared to form part of any particular run, such land shall be deemed to be incorporated in the existing lease or licence of such run, and the Land Board shall make all necessary and equitable adjustments in the rent payable under the said lease or licence; and for the purpose of giving effect to any alteration of a lease or licence, in respect of the rental, boundaries, area, or description, the provisions of section 105 of the Land Act 1924 shall, with the necessary modifications, apply.
- (15) In any case where any lease or licence affected by this section is not registered in the office of the District Land Registrar the Commissioner of Crown Lands shall endorse on the lease or licence an appropriate memorial of the alterations made pursuant to this section to such lease or licence.

## **6 Providing for cancellation of title to certain land in Tauraroa Parish, and issue of new title in lieu thereof**

Whereas pursuant to a warrant under the hand of the Governor-General and a memorandum of transfer Number 105231 there was in the year 1918 issued a certificate of title for a parcel of land described as South Middle Part Allotment 114 of the Parish of Tauraroa, which said certificate of title forms a foli-



um of the Register book of the Auckland Land Registration District, and is therein numbered Volume 280, folio 256:

And whereas the present registered proprietor of the said land is one Henry Bernard Sloane, of Waikiekie, farmer, whose title is subject to certain restrictions, charges, and encumbrances:

And whereas it has been ascertained that the said parcel of land actually comprises the whole of Allotment Middle 114 and part of Allotment SE 114 of the said parish contained in Crown grants of 4 July 1888 and 12 October 1894, respectively, and consequently the said certificate of title, Volume 280, folio 256, is erroneous:

And whereas the land intended to be vested pursuant to the said warrant and the land actually occupied by the registered proprietor and his predecessors in title is that parcel of land containing 43 acres 2 roods 14 perches, more or less, called Allotment Middle 113 of the said parish:

And whereas it is desirable that the error should be rectified:

Be it therefore enacted as follows:

On the deposit with the District Land Registrar at Auckland of a sufficient plan of the said Allotment Middle 113 the said District Land Registrar, on payment of the necessary fee and on surrender to him of certificate of title, Volume 280, folio 256, shall cancel the said certificate, and shall issue in lieu thereof to the said Henry Bernard Sloane or his successors in title a certificate of title under the Land Transfer Act 1915 for the land delineated on such plan, and such new certificate of title shall be subject to the same restrictions, charges, and encumbrances (if any) as those to which the cancelled certificate is for the time being subject, notwithstanding that the said restrictions, charges, and encumbrances do not therein refer to the lands affected thereby as Allotment Middle 113 of the Parish of Tauraroa, and all references in the said registered instruments to the South Middle Part of Allotment 114 of the said parish shall, notwithstanding anything to the contrary in any Act or rule of law, be deemed to refer to the land in the substituted certificate of title.

#### **7 Provision for validating title to Section 978, Town of New Plymouth**

Whereas all that parcel of land containing 1 rood 1 perch and three-tenths of a perch, more or less, being Section 978 of the Town of New Plymouth, was by deed of conveyance dated 19 December 1878 conveyed by the Education Board of the District of New Plymouth (hereinafter referred to as the **Board**) to William Webber, his heirs and assigns:

And whereas doubts have been raised as to whether the said land was vested in the Board at the date of the said deed of conveyance.

Be it therefore enacted as follows:

If the Minister of Education certifies that there is good reason to believe that the said land was set apart as a school site under section 15 of the Education

Reserves Act 1877, or that it was intended so to set the said land apart, then upon the production of such certificate to the District Land Registrar at New Plymouth, the said land shall be deemed to have been vested in the Board at and immediately prior to the date of the said deed of conveyance.

**8 Empowering the Native Land Court to determine the ownership to certain land in Putataka Parish, Auckland Land District, and validating certain titles**

Whereas errors have occurred in the survey of the land known as Opuatia Block and adjacent lands in the Auckland Land District, and doubts have in consequence arisen as to the validity of certain titles and the ownership of certain land:

Be it therefore enacted as follows:

- (1)
  - (a) The Native Land Court is hereby empowered to inquire and determine in what persons, whether Maori or European, the land mentioned in subsection (3) should vest, and to make an order or orders vesting the said land or any part thereof in such person or persons as may seem just or expedient for an estate of freehold in fee simple, and, if more than 1, as tenants in common in the shares defined by the court; or the court may amend any existing title to Maori land so as to include therein the said land or any part thereof.
  - (b) Where any title to Maori land is amended so as to include any of the said land, any encumbrance registered against that title shall extend and apply to the land so included, unless the court shall order otherwise.
  - (c) On the deposit in the Land Registry Office at Auckland of a sufficient plan, and on payment of all necessary fees, the District Land Registrar at Auckland shall issue to the person or persons entitled such certificates of title as are necessary to give effect to the provisions of this subsection.
- (2) Notwithstanding the provisions of section 59 of the Land Transfer Act 1915 or any other Act to the contrary, the titles mentioned in subsection (4) shall be deemed to be and to have been from the issue thereof valid in all respects and to entitle the registered proprietors to the fee simple of the lands mentioned therein, and the descriptions of the several parcels of land as set forth in the said subsection (4) shall for all purposes be deemed to be accurate and correct.
- (3) The land to which subsection (1) relates is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 13 acres 3 roods 17 perches, more or less, being part of Allotment 1, Putataka Parish, situated in Block VIII, Maioro Survey District, and Block XIII, One-whereo Survey District, and being more particularly shown coloured red on plan 15310 red, deposited in the office of the Chief Surveyor, Auckland.

- (4) The titles and lands to which subsection (2) relates are particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement a total of 2 427 acres 3 roods 20 perches, more or less, being part of Allotment 1, Putataka Parish, situated in Block XIII, Onewhero Survey District, and Block VIII, Maioro Survey District, and comprising the following lands registered in the office of the District Land Registrar, Auckland:

- (a) all that area of 167 acres 3 roods 20 perches, more or less, being Lot 1C 3B, Putataka Parish, and being the whole of the land comprised in certificate of title, Volume 265, folio 150:
- (b) also all that area of 263 acres, more or less, being Lot 1C 4, Putataka Parish, and being the whole of the land comprised in certificate of title, Volume 306, folio 216:
- (c) also all that area of 461 acres, more or less, being Lot 1C 5, Putataka Parish, and being the whole of the land comprised in certificate of title, Volume 243, folio 131:
- (d) also all that area of 774 acres 2 roods, more or less, being parts of Lots 1A and 1B, Putataka Parish, and being Lot 1 on plan 13861 deposited in the office of the District Land Registrar, and being the whole of the land comprised in certificate of title, Volume 318, folio 287:
- (e) also all that area of 761 acres 2 roods, more or less, being parts of Lots 1A and 1B, Putataka Parish, and being Lot 2 on plan 13861, deposited in the office of the District Land Registrar, and being the whole of the land comprised in certificate of title, Volume 318, folio 288.

Section 8(1)(a): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 8(1)(b): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

## 9 **Validating agreement as to and making provision with respect to control and management of Wellington Citizens War Memorial**

Whereas for the purpose of erecting a suitable memorial (hereinafter called the **Memorial**) in memory of those residents of the City of Wellington and adjoining districts who fell in the Great War a body known as the Wellington Citizens War Memorial Committee (hereinafter called the **Committee**) was established:

And whereas the Committee collected moneys for the purpose aforesaid:

And whereas the Government of New Zealand owned the land hereinafter described upon which, with its consent, the memorial was duly erected out of the moneys so collected by the Committee:

And whereas the Government was requested to set aside the site as a public reserve:

And whereas the Wellington City Council offered to undertake the care, preservation, and maintenance of the Memorial and its immediate surroundings upon certain conditions:

And whereas in respect of such matters as aforesaid the deed of agreement set out in the Schedule (hereinafter called the **agreement**) was made between the parties recited in the agreement:

And whereas it is desirable to validate the making of the agreement, and to make provision as hereinafter appears to give full effect to the terms of the agreement.

Be it therefore enacted as follows:

- (1) The agreement is hereby declared to have been lawfully made by all the parties thereto and to have effect and to bind such parties according to its tenor as modified by this Act.
- (2) The land to which the agreement relates, being all that parcel of land bounded on all sides by public streets containing twenty and six one-hundredths perches, more or less, situate in the City of Wellington, being part of Section 491, Town of Wellington, and being the whole of the land comprised in Proclamations registered in the Land Transfer Office at Wellington under Numbers 1862, 1863, and 2129, with the exception of an area of two and thirty-three one-hundredths perches proclaimed as street by Proclamation registered under Number 2128, is hereby declared to be a public reserve within the meaning of the Public Reserves, Domains, and National Parks Act 1928, set aside for ever as the site of the Memorial.
- (3) The control and management of the said public reserve is hereby vested in the Wellington City Council, and it shall be the duty of the Council to care for, maintain, repair, and preserve the Memorial and its immediate surroundings in accordance with, and otherwise to observe the requirements of clause 2 of the agreement.
- (4) The right of revocation contained in clause 4 of the agreement may be exercised if, in the opinion of the Governor-General in Council, the Wellington City Council has failed to carry out or observe its obligation under that clause.
- (5) The Wellington City Council may from time to time incur and meet out of its District Fund such expenditure as may be necessary for the purposes of subsection (3).
- (6) No building shall be erected of a height exceeding the height of the present building on the land adjacent to the said Memorial vested in the Mayor, Councillors, and Citizens of the City of Wellington, and in the Chairman, Councillors, and Inhabitants of the County of Hutt, namely:
  - (a) land vested in the Mayor, Councillors, and Citizens of the City of Wellington, being all that parcel of land containing twelve and fourteen one-hundredths perches, more or less, situate in the City of Wellington, being part of Section 491, Town of Wellington, being also Lot 1 on deposited

plan Number 10325, and being the whole of the land comprised in certificate of title, Volume 433, folio 14.

- (b) land vested in the Chairman, Councillors, and Inhabitants of the Hutt County, being all that parcel of land containing eight and sixty-eight hundredths perches, more or less, situate in the City of Wellington, being part of Section 491, Town of Wellington, and being also Lot 2 on deposited plan Number 10325, and being part of the balance of the land comprised in certificates of title, Volume 96, folio 105, Volume 175, folio 198, and Volume 227, folio 286, and being part of the land comprised in certificates of title Volume 2, folio 133, and Volume 96, folio 160.

#### **10 Adding portion of Westport North Beach Domain to Westport Colliery Reserve**

Whereas by section 79 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1923 the setting apart of Section 30, Block III, Kawatiri Survey District, as portion of the Westport Colliery Reserve was cancelled, and the said land was set apart as a public domain subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908:

And whereas it is desirable that portion of the said Section 30 as hereinafter described should be re-established as portion of the said Westport Colliery Reserve:

Be it therefore enacted as follows:

- (1) The setting apart as a public domain of that portion of the Westport North Beach Domain hereinafter described is hereby cancelled, and the said land shall be administered in all respects as if it formed part of the area described in Schedule 4 of the Westland and Nelson Coal Fields Administration Act 1877.
- (2) The land to which the last preceding subsection relates is particularly described as follows:

All that area in the Nelson Land District, containing by admeasurement 2 acres 2 roods 11 perches, more or less, and being portion of Section 30, Block III, Kawatiri Survey District, bounded towards the west by Derby Street, 282.5 links; towards the north by unalienated Westport Colliery Reserve lands, 697.4 links; towards the east by unalienated Westport Colliery Reserve lands, by the abuttal of a public road, and by Section 65, Block III, Kawatiri Survey District, a distance of 453.6 links; and towards the south by the remaining portion of Section 30, Block III, Kawatiri Survey District, 718.3 links: as the same is more particularly delineated on the plan marked L and S 1/772, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**11 Adding closed road to the Pirongia Domain**

Whereas the closed road in the Parish of Mangapiko hereinafter described was closed by the Waipa County Council under the provisions in that behalf of the Public Works Act 1894 and the Public Works Acts Amendment Act 1900:

And whereas it is desirable that the land comprised in the said closed road should be added to the Pirongia Domain:

Be it therefore enacted as follows:

- (1) The area hereinafter described, being the land comprised in the closed road hereinbefore referred to, is hereby declared to be subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Pirongia Domain, and to be subject to the control of the Pirongia Domain Board.

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

All that area in the Auckland Land District, containing by admeasurement 5 acres 1 rood 7 perches, more or less, being Allotment 87A, Mangapiko Parish, situate in Block IV, Pirongia Survey District, bounded towards the north-east and north-west by Allotment 87, Mangapiko Parish, 3 903 and 1 144.6 links respectively; towards the east by a public road, 101.9 links; towards the south-east by Allotments 100A, 100B, and 74, Mangapiko Parish, 1 125 links; towards the north-east by Allotment 74 aforesaid, 165 links; again towards the south-east by the Mangapiko River; towards the south-west by Allotment 74 aforesaid, the abutment of a public road, and again by Section 74 aforesaid, 4 152.3 links; towards the north-west by a public road, 100 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 1/285, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**12 Temporarily extending benefits of section 124 of Land Act 1924 and section 5 of Land for Settlements Amendment Act 1927**

*[Repealed]*

Section 12: repealed, on 1 April 1949, by section 185(1) of the Land Act 1948 (1948 No 64).

**13 Suspending the operation of section 216 of the Land Act 1924, and sections 11, 12, and 13 of the Land Laws Amendment Act 1927 with respect to the revaluation of rural Crown and settlement land**

*[Repealed]*

Section 13: repealed, on 26 October 1935, by section 8(1) of the Land Laws Amendment Act 1935 (1935 No 25).

## Schedule

Deed of agreement made this sixteenth day of April, 1932, between His Majesty the King in right of the Government of New Zealand (hereinafter referred to as “His Majesty’s Government”) of the one part the Wellington Citizens War Memorial Committee (hereinafter referred to as “the Committee”) of the second part and the Mayor Councillors and Citizens of the City of Wellington (hereinafter referred to as “the City Council”) of the third part:

Whereas by divers Proclamations His Majesty’s Government has acquired the ownership of parts of Section 491 Town of Wellington adjoining the Parliamentary Buildings which said lands are more particularly delineated on the plan attached hereto and therein outlined in red

And whereas the Citizens of the City of Wellington subscribed to a fund for the erection of a memorial in memory of the residents of the Wellington City and the adjoining districts who laid down their lives in the service of their King and country in the Great War

And whereas the subscriptions to the said fund were received and administered by the Committee

And whereas with the consent and approval of His Majesty’s Government the Committee has caused to be erected on the said lands a memorial intended to perpetuate the memory of those who so laid down their lives

And whereas the Committee has requested His Majesty’s Government to set aside the said land as a permanent reserve as a site for the said memorial for all time

And whereas the City Council has offered to undertake the care preservation and maintenance of the said memorial and its immediate surroundings in consideration of which the control and management of the said reserve so proposed to be created is intended to be vested in the City Council:

Now it is hereby agreed by and between the parties hereto as follows:

1. His Majesty’s Government shall proclaim the said land a public reserve dedicated as the site of the Wellington City War Memorial and shall vest the control and management thereof in the City Council upon the terms and conditions hereinafter set forth.
2. The City Council agrees to accept on behalf of the citizens of Wellington and its surrounding districts the said trust and agrees to care for maintain repair and preserve the Memorial and its immediate surroundings in good order and condition and not to erect, make, or carry out, or permit or allow to be erected, made, or carried out any additions alterations or work upon the said Memorial or its surroundings (other than ordinary maintenance to the grounds) without the prior approval of Messrs Grierson, Aimer, and Draffin of Auckland, Architects, or their nominee (with the same power of nomination in each person so named) nor to erect on the said land or within twenty feet thereof any building structure or excavation of any kind whatsoever, and further agrees that it will

not make any alteration in the streets surrounding the said land that will in any way affect the symmetry or artistic effect of the said Memorial, without such prior approval as aforesaid.

3. The Committee doth hereby, pursuant to a resolution thereof, testified by the signature of the Chairman of the said Memorial Committee, in consideration of the foregoing agreements, transfer and assign to the City Council all its rights whether legal or equitable in or concerning the said Memorial to be held by it in trust to effectuate the purposes aforesaid.
4. If the City Council shall fail or neglect or refuse to perform and observe its undertaking as aforesaid then His Majesty's Government in New Zealand may by Order in Council revoke the order vesting the control and management of the said land in the City Council and make such other provision in respect thereof as may be necessary to effect the intention of this deed with regard to the care preservation and maintenance of the said Memorial.
5. His Majesty's Government undertakes to submit to the Legislature and use its best endeavours to secure the enactment of legislation to give effect to the intention of all the terms and provisions of and incidental to this agreement and to confer the powers required to effectuate the same and in particular to authorize the City Council to expend moneys out of the District Fund or other sources for the aforesaid purposes, and to bind itself to the conditions aforesaid.



As witness the hands of the parties.

Signed by the Right Honourable George William Forbes for and on behalf of His Majesty the King—C A Jeffery, Civil Servant, Wellington	Geo W Forbes
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Signed by Thomas Charles Atkinson Hislop, Mayor of the City of Wellington for and on behalf of the Corporation of the City of Wellington—C A Jeffery, Civil Servant, Wellington	T C A Hislop
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Signed by George Hall, CMG, CBE, for and on behalf of the Wellington War Memorial Committee—C A Jeffery, Civil Servant, Wellington	George T Hall
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**Contents**

- 1 General
- 2 Status of reprints
- 3 How reprints are prepared
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- 5 List of amendments incorporated in this reprint (most recent first)

**Notes****1 General**

This is a reprint of the Reserves and other Lands Disposal Act 1932–33. The reprint incorporates all the amendments to the Act as at 1 April 1949, 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)*

Land Act 1948 (1948 No 64): section 185(1)

Maori Purposes Act 1947 (1947 No 59): section 2

Reserves and other Lands Disposal Act 1939 (1939 No 23): section 3

Land Laws Amendment Act 1935 (1935 No 25): section 8(1)