

Reprint
as at 1 July 2003



**Reserves and other Lands Disposal
Act 1934**

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Contents

	Page
Title	3
1 Short Title	3
2 Section 12 of Reserves and other Lands Disposal Act 1932–33 amended	3
3 Section 13 of Reserves and other Lands Disposal Act 1932–33 amended [<i>Repealed</i>]	3
4 Validating a certain payment by the Taieri Lake Domain Board	3
5 Amending Schedule 1 of Manukau Harbour Control Act 1911	3
6 Empowering trustees appointed under section 32 of Reserves Disposal and Exchange Act 1895 to pay certain trust funds to the Pohangina County Council	4
7 Authorising the diversion of moneys derived from the Westport No 2 Domain towards the establishment of an aerodrome at Westport	4

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.

8	Validating burial of Dr Leonard Cockayne in land forming part of the Otari Native Plant Museum	5
9	Extending powers of leasing of the Inglewood Borough Council with reference to parts Sections 189 and 190, Town of Inglewood, held in trust as a site for a public library and mechanics' institute	6
10	Exempting the Christchurch Returned Soldiers' Association from liability for rates in respect of part Reserve 212 <i>[Repealed]</i>	7
11	Vesting certain Maori burial grounds in His Majesty as sand dune reclamation areas	8
12	Cancelling the reservation as a provisional State forest over certain land in Nelson Land District and setting the same apart as a scenic reserve	8
13	Section 168 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 amended	9
14	Authorising the sale of certain reserves in Block X, Christchurch Survey District, and providing for the application of the proceeds of such sale in or towards the acquisition of land for a public domain	9
15	Adjustment of boundaries between State forest and scenic reserve in Block VII, Paeroa Survey District, Auckland Land District	11
16	Cancelling reservation as permanent State forest over certain land in Auckland Land District, and setting the same apart as a scenic reserve	13
17	Providing for the vesting of certain land in Waitangi National Trust Board	14
18	Reconstituting the Wanganui River Trust and Board <i>[Repealed]</i>	14
19	Authorising Public Trustee to hold lease of small grazing run	15
20	Cancelling the reservation over provisional State forest areas in Otago and Southland Land Districts, and setting the same apart for national park purposes	15
21	Old Karori Borough Council Chambers' site vested in Wellington City Corporation	17

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 1934.

2 Section 12 of Reserves and other Lands Disposal Act 1932–33 amended

Amendment(s) incorporated in the Act(s).

3 Section 13 of Reserves and other Lands Disposal Act 1932–33 amended

[Repealed]

Section 3: repealed, on 26 October 1935, by section 8(1) of the Land Laws Amendment Act 1935 (1935 No 25).

4 Validating a certain payment by the Taieri Lake Domain Board

Notwithstanding anything to the contrary in any Act or rule of law, the payment during the financial year ended 31 March 1932 by the Taieri Lake Domain Board to Jesse Griffiths, a lessee of portion of the said domain under a deed of lease made on 1 March 1930 of the sum of 32 pounds 10 shillings, being a refund of part of the rent paid by the said Jesse Griffiths under the said deed of lease for the period from 1 September 1931 to 29 February 1932 is hereby validated and declared to have been lawfully made by the said Board and to have been lawfully received by the said Jesse Griffiths.

5 Amending Schedule 1 of Manukau Harbour Control Act 1911

Amendment(s) incorporated in the Act(s).

6 Empowering trustees appointed under section 32 of Reserves Disposal and Exchange Act 1895 to pay certain trust funds to the Pohangina County Council

Whereas Section 7, Block V, Township of Pohangina, is by virtue of the powers contained in section 32 of the Reserves Disposal and Exchange Act 1895 vested in trustees to hold and administer the same as a site for a public hall and to pay over to the Palmerston North Hospital Board the net proceeds of all rents and profits received in respect of the said section:

And whereas the said section is not now suitable for the purposes of a public hall and the aforementioned trustees are desirous of paying to the Pohangina County Council, towards the cost of a new hall to be erected on land vested in the Corporation of the County of Pohangina for that purpose, the balance of the said rents and profits held by them:

And whereas the Palmerston North Hospital Board is agreeable to the above-mentioned proposal:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 32 of the Reserves Disposal and Exchange Act 1895 or in any other Act, the trustees of Section 7, Block V, Township of Pohangina, are hereby empowered to pay over the sum of 28 pounds 12 shillings and 11 pence, being the balance of the net proceeds of all rents and profits received in respect of the said Section 7, to the Pohangina County Council, to be expended by it towards the cost of erection of a new hall on Sections 8 and 9, Block V, Township of Pohangina.
- (2) *Amendment(s) incorporated in the Act(s).*

7 Authorising the diversion of moneys derived from the Westport No 2 Domain towards the establishment of an aerodrome at Westport

Whereas it is intended to reserve the land hereinafter described as a site for an aerodrome and to vest the control thereof in the Westport Borough Council:

And whereas the said Council is also the Board having control of the Westport No 2 Domain:

And whereas the moneys received in respect of the said domain are not likely to be wholly required in connection therewith and authority is desired to apply a portion of the said moneys in establishing, managing, administering, or improving the said proposed aerodrome:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, portion of the funds of the Westport No 2 Domain may from time to time, but subject in each case to the approval of the Minister of Lands, be used in establishing an aerodrome on the land hereinafter described, and in managing, administering, and improving such land for aerodrome purposes.
- (2) The land proposed to be set apart as a site for an aerodrome as hereinbefore mentioned is particularly described as follows:
All that area in the Nelson Land District, containing approximately 60 acres, being Section 1140, Town of Westport, and Sections 35 and 36, Block III, Kawatiri Survey District.

8 Validating burial of Dr Leonard Cockayne in land forming part of the Otari Native Plant Museum

- (1) Notwithstanding anything to the contrary in the Cemeteries Act 1908 or any other Act, the burial of the body of the late Leonard Cockayne, PhD, in the land hereinafter described (and hereinafter referred to as the **said land**), being portion of the land vested in the Corporation of the City of Wellington, and known as the Otari Native Plant Museum, is hereby declared to have been lawfully made.
- (2) The widow of the said Leonard Cockayne may hereafter be buried in the said land, and no other person shall hereafter be buried therein.
- (3) Sections 83 to 89 and 91 of the Cemeteries Act 1908 shall apply to the said land in all respects as if it were a burial ground under that Act and the Wellington City Council the managers thereof.
- (4) The said land is particularly described as follows:
All that piece or parcel of land in the City of Wellington, containing an area of seventy-nine hundredths of a perch, more

or less, being part Section 1, Kaiwarra Registration District, Block VI, Port Nicholson Survey District (Land Transfer Office Plan A/2512): as the same is more particularly delineated on plan numbered 332/26, deposited in the office of the Chief Surveyor at Wellington, and thereon coloured red, and bounded as follows: commencing at a point distant 175.67 links, on a bearing of $178^{\circ}2'20''$ from the southernmost corner of Plan A/2512; thence on a bearing of $60^{\circ}11'$, for a distance of 18.18 links; thence on a bearing of $150^{\circ}11'$, for a distance of 27.27 links; thence on a bearing of $240^{\circ}11'$, for a distance of 18.18 links; and thence on a bearing of $330^{\circ}11'$, for a distance of 27.27 links, to the point of commencement.

9 Extending powers of leasing of the Inglewood Borough Council with reference to parts Sections 189 and 190, Town of Inglewood, held in trust as a site for a public library and mechanics' institute

Whereas by an Order in Council, dated 9 May 1898, and published in the *Gazette* of 12 May 1898, Sections 189 and 190, Town of Inglewood, were vested in the Inglewood Town Board in trust for a site for a public library and mechanics' institute:

And whereas such sections are now vested in the Corporation of the Borough of Inglewood in trust as aforesaid:

And whereas a subdivisional plan of such sections has been deposited in the Land Transfer Office at New Plymouth under Number 5440:

And whereas Lot 3 on such plan is occupied by a building housing the Inglewood Public Library:

And whereas the remaining Lots 1, 2, 4, 5, 6, and 7 on such plan (hereinafter referred to as the **said lots**) are not required for a site for a public library or mechanics' institute, but are leased to various tenants, all rents and profits therefrom being by virtue of section 3 of the Inglewood Town Board Leases Validation Act 1904 applied solely for the benefit of the Inglewood Public Library:

And whereas the said lots being in the central business portion of the Borough of Inglewood, and in the inner area as de-

fined by the building bylaw of the said borough, it is desirable that the tenants thereof should have some more secure form of tenure:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, the Inglewood Borough Council (hereinafter referred to as the **Council**) shall have, in respect of the said lots, all powers of leasing and other powers set forth in sections 157, 158, 159, and 162 of the Municipal Corporations Act 1933.
- (2) The Council shall have in respect of the said lots, or any parts thereof, the power and authority to accept surrenders of all or any of the existing leases or tenancies and to grant to the then lessees or tenants thereunder new leases at rentals to be fixed by the Council by special order and for the terms and upon the conditions authorised by the aforesaid sections 157, 158, and 159, except that it shall not be necessary for such new leases to be submitted for public auction or public tender as provided in paragraph (a) of the said section 159.
- (3) All leases granted under the authority of subsections (1) and (2) may contain such covenants and provisions, not being contrary to the aforesaid sections 157, 158, and 159 of the Municipal Corporations Act 1933, as the Council thinks fit, and in particular a covenant by each lessee to remove the existing buildings and to erect or construct new buildings on the land so leased to him in accordance with a design approved by the lessor and within such time and to such value as shall be fixed by the lessor in each particular case.

10 Exempting the Christchurch Returned Soldiers' Association from liability for rates in respect of part Reserve 212

[Repealed]

Section 10: repealed, on 1 July 2003, by section 138(1) of the Local Government (Rating) Act 2002 (2002 No 6).

11 Vesting certain Maori burial grounds in His Majesty as sand dune reclamation areas

Whereas it is necessary to vest the lands hereinafter described in the Crown for sand dune reclamation purposes:

And whereas such lands comprise Maori burial grounds:

And whereas the Maori interested in such burial grounds through their representative have fixed the boundaries of the same, and have agreed to the said burial grounds being vested in the Crown as sand dune reclamation areas, subject to the right of such Maori to bury deceased Maori therein:

Be it therefore enacted as follows:

- (1) The Maori tribal burial grounds in the North Auckland Land District hereinafter described are hereby vested in His Majesty the King for the purposes of sand dune reclamation, subject to the right of aboriginal Maori interested in such land to bury deceased Maori therein.
- (2) The areas to which this section relates are described as follows:

Pokiaiti	20 acres, Block II, Kumeu Survey District
Ngapuketurua	20 acres, Block II and V, Kumeu Survey District
Ruatiti	20 acres, Block V, Kumeu Survey District
Atuahae	15 acres, Block VIII, Kumeu Survey District

as the said blocks of land are more particularly delineated on the plan marked PWD 87959, deposited in the Office of the Minister of Public Works at Wellington, and thereon bordered yellow.

Section 11: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 11(1): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

12 Cancelling the reservation as a provisional State forest over certain land in Nelson Land District and setting the same apart as a scenic reserve

Whereas the land hereinafter described is a provisional State forest reserve set apart by Proclamation published in the *Gazette* of 25 March 1920 and is subject to the provisions of the Forests Act 1921–22:

And whereas it is desirable that the said land should be set aside as a scenic reserve subject to the provisions of the Scenery Preservation Act 1908 as recommended by the Board constituted under that Act:

Be it therefore enacted as follows:

- (1) The reservation for provisional State forest purposes over the land hereinafter described is hereby cancelled, and the said land is hereby set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act 1908.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, containing 1 250 acres, more or less, situated in Blocks IV and VIII, Arnaud Survey District, and bounded as follows: towards the east by Crown land, Scenic Reserve No 11, Sections 3 and 4, Block V, Rotoiti Survey District, and Section 1, Block VIII, Arnaud Survey District; towards the south and south-west by Section 11, Block VIII, Arnaud Survey District; and towards the west and north-west by Crown land: as the same is more particularly delineated on the plan marked L & S 4/352, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

13 Section 168 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 amended

Amendment(s) incorporated in the Act(s).

14 Authorising the sale of certain reserves in Block X, Christchurch Survey District, and providing for the application of the proceeds of such sale in or towards the acquisition of land for a public domain

Whereas the Waimairi County Council (hereinafter called the **Council**) proposes to borrow by way of special loan a certain sum to enable it to acquire land in the Fendalton Riding as a public domain, and on the acquisition of such land to transfer the same to the Crown for that purpose:

And whereas there are situated within the said riding certain reserves which have become vested in the Crown upon the

subdivision of private properties, and which could be sold without detriment to the district:

And whereas it is desirable that the said reserves should be sold, and the proceeds therefrom paid to the Council to be applied as hereinafter appearing:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, the existing reservations over the lands hereinafter described are hereby cancelled and such lands are hereby declared to be Crown land available for disposal by way of sale for cash under the Land Act 1924.
- (2) A sum or sums equal to the moneys paid to the credit of the Land for Settlements Account as proceeds of the sale of the lands hereinafter described, pursuant to the authority conferred by the last preceding subsection, less the costs of the sale of such lands, may from time to time, as directed by the Minister of Lands and without further appropriation than this section, be paid out of that Account to the Council, and all such moneys shall when received be paid by the Council into the sinking fund of any loan raised by it for the purpose of acquiring land for a public domain as aforesaid, or be otherwise applied towards the redemption of such loan:
provided that should any other moneys have been paid out of the District Fund of the Council into such sinking fund, or in or towards repayment of the loan aforesaid, the Council may apply the whole or any portion of the moneys received from the Crown in terms of this section in recouping the District Fund.
- (3) The lands to which subsection (1) relates are particularly described as follows:
All those areas in the Canterbury Land District, containing together by admeasurement 2 acres 1 rood 15 perches, more or less, being Reserves Numbered 4087, 4114, 4123, 4127, 4178, and 4196, situated in Block X, Christchurch Survey District: as the same are more particularly delineated on the plans marked L and S 6/1/438 A, B, C, D, E, and F, deposited in the

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

15 Adjustment of boundaries between State forest and scenic reserve in Block VII, Paeroa Survey District, Auckland Land District

Whereas the land described in subsection (3) forms portion of a reserve for scenic purposes set apart by Proclamation published in the *Gazette* of 19 March 1908 and is now subject to the provisions of the Scenery Preservation Act 1908:

And whereas the said scenic reserve was brought under the operation of and declared to be subject to the provisions of the Tourist and Health Resorts Control Act 1908, and the control of such reserve was vested in the Minister of the Crown for the time being having the administration of that Act by Orders in Council published respectively in the *Gazettes* of 2 February and 2 March 1933:

And whereas the said land contains no scenic features of particular interest, and has been used and maintained for fire protection purposes in connection with the Waiotapu Plantation, and it is desirable that it be set aside for State forest purposes:

And whereas the land described in subsection (4) forms portion of that part of State Forest No 84 set apart by Proclamation published in the *Gazette* of 31 January 1929 and is now subject to the provisions of the Forests Act 1921–22:

And whereas such land is situated between the existing firebreak used and maintained in connection with the Waiotapu Plantation and the scenic reserve hereinbefore referred to, and it is desirable that it should be set apart for scenic purposes in order to make the boundary between the plantation and the scenic reserve conform with such firebreak:

Be it therefore enacted as follows:

- (1) The reservation for scenic purposes over the land described in subsection (3), and the bringing of such land under the operation of the Tourist and Health Resorts Control Act 1908, together with the vesting of control in the Minister of the Crown for the time being having the administration of that Act as hereinbefore referred to, are hereby cancelled, and the said

land is hereby set apart as a permanent State forest subject to the provisions of the Forests Act 1921–22.

- (2) The reservation for permanent State forest purposes over the land described in subsection (4) is hereby cancelled, and the said land is hereby set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act 1908.
- (3) The land to which subsection (1) relates is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 7 acres 2 roods 30 perches, more or less, being part Section 5, Block VII, Paeroa Survey District: bounded towards the north-east by State Forest No 84, 1 942.6 links; towards the south-east by Echo Lake; and towards the south-west generally by part Section 5, Block VII, Paeroa Survey District, 1 287.6 links and 205.9 links: be all the aforesaid linkages more or less. As the same is more particularly delineated on the plan marked L and S 331D, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland plan, SO 27664.)

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

All that area in the Auckland Land District, containing by admeasurement 9 acres 1 rood 20 perches, more or less, being part State Forest No 84, situated in Block VII, Paeroa Survey District: bounded towards the north-west by the Waio-tapu Stream; towards the north-east generally by part State Forest No 84, 1 759.9 links and 297.5 links; and towards the south-west by part Section 5, Block VII, Paeroa Survey District, 1 766.4 links: be all the aforesaid linkages more or less. As the same is more particularly delineated on the plan marked L and S 331E, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland plan, SO 27664.)

16 Cancelling reservation as permanent State forest over certain land in Auckland Land District, and setting the same apart as a scenic reserve

Whereas the land hereinafter described forms portion of an area set apart as a permanent State forest by Proclamation published in the *Gazette* of 31 January 1929 and is now subject to the provisions of the Forests Act 1921–22:

And whereas it is desirable that the said land should be set apart as a scenic reserve subject to the provisions of the Scenery Preservation Act 1908, as recommended by the Board constituted under that Act:

Be it therefore enacted as follows:

- (1) The reservation for permanent State forest purposes over the land hereinafter described is hereby cancelled, and the said land is hereby set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act 1908.
- (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 26 acres 3 roods 37 perches, more or less, situated in Blocks III and VII, Paeroa Survey District, and being formerly part Paeroa East No 1A West: bounded—commencing at the junction of Hickey's Road with Weir's Road, towards the west generally by the eastern side of the said Hickey's Road, 850.2 links, bearing 6°29'; thence 501.4 links, bearing 39°8'; thence 846 links, bearing 21°5'; thence 604.3 links, bearing 347°58'; thence 608.5 links, bearing 342°27' 30"; towards the north-east by permanent State forest reserve by a right line, 2 798.4 links, bearing 130°58'20"; towards the south-east generally by the north-western side of Weir's Road aforesaid, 162.8 links, bearing 232°28'; thence 371.9 links, bearing 247°58'; thence 544.2 links, bearing 263°28'; thence 720.2 links, bearing 247°20'; thence 274.1 links, bearing 243°36'; thence 888.4 links, bearing 222°6', to the point of commencement: be all the aforesaid linkages more or less. As the same is more particularly delineated on the plan marked L and S 331G, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

17 Providing for the vesting of certain land in Waitangi National Trust Board

Whereas by Proclamation published in the *Gazette* of 21 September 1933 certain lands in the Waitangi Parish, Block IV, Kawakawa Survey District, North Auckland Land District, were taken for historic purposes under the provisions of the Public Works Act 1928, the Scenery Preservation Act 1908, and the Scenery Preservation Amendment Act 1910:

And whereas it is desirable that provision should be made for the vesting of the lands so taken in the Waitangi National Trust Board constituted under the provisions of the Waitangi National Trust Board Act 1932:

Be it therefore enacted as follows:

- (1) The Governor-General may, by Warrant under his hand, authorise the District Land Registrar of the Land Registration District of Auckland to issue free of cost a certificate of title to the Waitangi National Trust Board for an estate in fee simple in the lands hereinafter described:

provided that such lands shall be held by the Board for the purposes of the trust.

- (2) The lands to which subsection (1) relates are described as follows:

All that area in the North Auckland Land District, situated in Block IV, Kawakawa Survey District, containing by admeasurement 30 acres 2 roods 30 perches and seventy-five hundredths of a perch, more or less, being the lands taken for historic purposes by Proclamation dated 8 September 1933, gazetted on 21 September 1933, and shown coloured as indicated within the said Proclamation on plan marked PWD 85739, deposited in the office of the Minister of Public Works at Wellington.

18 Reconstituting the Wanganui River Trust and Board
[Repealed]

Section 18: repealed, on 30 November 1940, by section 28(10) of the Reserves and other Lands Disposal Act 1940 (1940 No 13).

19 Authorising Public Trustee to hold lease of small grazing run

Whereas the Public Trustee as executor of the will of James McCutchan, late of Katikati, farmer (deceased), being registered as mortgagee of small grazing run lease numbered 78, registered in Volume 241, folio 68, Auckland Registry, of Small Grazing-run 15, Allotment 63C, Matata Parish, Auckland Land District, in exercise of the powers conferred by the mortgage offered the said lease for sale through the Registrar of the Supreme Court, and, no other bids being forthcoming, bought in the said lease:

And whereas it is necessary to authorise the Public Trustee to hold the said lease pending disposal thereof in the interests of the estate concerned:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Land Act 1924 or in any other Act, the Public Trustee may hold the said lease, and a transfer of the said lease to him may be registered without the making by him of any declaration pursuant to sections 90 and 97 of the said Land Act 1924.

20 Cancelling the reservation over provisional State forest areas in Otago and Southland Land Districts, and setting the same apart for national park purposes

Whereas the lands hereinafter described form portions of provisional State forests set apart by Proclamations published in the *Gazette* of 8 May 1919 and 25 March 1920 and are now subject to the provisions of the Forests Act 1921–22:

And whereas it is desirable that the said lands should be set apart for national park purposes under and subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

Be it therefore enacted as follows:

- (1) The reservation for provisional State forest purposes over the lands hereinafter described is hereby cancelled, and the said lands are hereby set apart for national park purposes under and subject to the provisions of the Public Reserves, Domains, and

National Parks Act 1928, and are hereby declared to form part of the Sounds National Park.

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

Firstly, all that area in the Otago Land District, containing by estimation 18 000 acres, more or less, situated in the Hollyford, Caples, and Greenstone Survey Districts: commencing at a point on Cascade Creek due east from Mount Madeleine—bounded, towards the north by Cascade Creek; towards the north-east, north, and east generally by Run 471, Tutoko Creek, Hollyford River, and Pass Creek; towards the north by Caples Survey District; towards the east generally by the forest line; towards the south and west by Run 418; towards the south-east by the Southland Land District; thence towards the south, north-west, and west generally by the forest line to the point of commencement. As the same is delineated on the plan marked L and S 4/676, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Secondly, all those areas in the Southland Land District, containing together by estimation 30 440 acres, more or less, and described as follows:

All that area, containing 29 100 acres, situated in Eglinton, Swinton, Clintonside, and Greenstone Survey Districts: bounded towards the north by the Land District boundary (*Gazette* 1924, p 1582); towards the east generally by the bush edge; and towards the south by a right line running due west from the highest point of Winton Peak in Block II, Swinton Survey District; towards the north-west, south, and south-east by the bush edge; towards the west by the Sounds National Park (*Gazette* 1905, p 544); again towards the north by the bush edge; and again towards the west by Eglinton and Clinton Survey Districts; again towards the north by a right line between the highest points of Mount Eglinton and Moffat Peak; and again towards the west and the north-west by the bush edge: save and excepting out of the above-described area Lakes Fergus and Gunn.

Also all that area, containing 1 340 acres, situated in Clintonside Survey District; and bounded generally towards the east

and south-east by the east branch of the Eglinton River; and towards the south-west, west, and north by the bush edge.

As the same are delineated on the plan marked L and S 4/676A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

21 Old Karori Borough Council Chambers' site vested in Wellington City Corporation

The area of Crown land situated in the City of Wellington, hereinafter described, being the Old Karori Borough Council Chambers' site, is hereby vested in the Corporation of the City of Wellington for municipal purposes, subject to the condition that if at any time the present building is removed and it is discovered that any portion of the area is occupied by human remains, such portion shall be set aside as a reserve and not used for any building purposes, or that the remains found shall be disinterred and interred in some public cemetery.

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

All that parcel of land, containing an area of approximately 8.03 perches, being part of Lot 1, Section 36, Karori Registration District, Block VI, Port Nicholson Survey District, and bounded as follows: commencing at a point on Karori Road, distant 200.06 links in a north-easterly direction from the south-eastern corner of the intersection of Karori Road and Beauchamp Street, on a bearing of $68^{\circ}37'53''$; thence in a north-easterly direction along Karori Road, on a bearing of $69^{\circ}23'3''$, for a distance of 50.93 links; thence in a south-easterly direction, $159^{\circ}4'$, a distance of 98.52 links; thence in a south-westerly direction, $249^{\circ}24'$, a distance of 50.97 links; and finally in a north-westerly direction, $339^{\circ}5'30''$, a distance of 98.45 links, to the point of commencement. As the same is more particularly delineated on a plan marked SO 332/28, deposited in the office of the Chief Surveyor at Wellington, and thereon coloured red.

Reserves and other Lands Disposal Act 1941

Public Act 1941 No 21
Date of assent 13 October 1941
Commencement 13 October 1941

1 Short Title

This Act may be cited as the Reserves and other Lands Disposal Act 1941.

2 Validating a certain payment to the Waimairi County Council

Whereas section 14 of the Reserves and other Lands Disposal Act 1934 cancelled the reservation over certain reserves in the Fendalton Riding of the Waimairi County, and declared such lands to be Crown land available for disposal by way of sale for cash under the Land Act 1924 but subject to the special provisions set forth in subsection (2) of the said section 14 for the disposition of the proceeds from any sale of such lands:

And whereas by Proclamation published in the *Gazette* of 14 November 1940, Reserve 4196, Block X, Christchurch Survey District, containing an area of 3 roods 9 perches and six-tenths of a perch, and being portion of the lands hereinbefore referred to, was declared to be set apart for the purposes of Part 1 of the Housing Act 1919:

And whereas in respect of such transaction the sum of 780 pounds was on 7 November 1940 paid out of the Land for Settlements Account to the Waimairi County Council, such payment purporting to be made under the authority of the said subsection (2) of section 14 of the Reserves and other Lands Disposal Act 1934:

And whereas doubts have arisen as to whether the setting apart of such land for housing purposes was a sale of land, and whether such payment was lawfully made:

And whereas it is desirable that such doubts should be removed:

Be it therefore enacted as follows:

The setting apart of Reserve 4196, Block X, Christchurch Survey District, for the purposes of Part 1 of the Housing Act 1919, by the Proclamation published in the *Gazette* of 14 November 1940, shall, for the purposes of section 14 of the Reserves and other Lands Disposal Act 1934, be deemed to have been a sale of land, and the aforesaid payment of the sum of 780 pounds to the Waimairi County Council is hereby validated and declared to have been lawfully made to and received by the said Council.

Reserves and other Lands Disposal Act 1945

Public Act 1945 No 31
Date of assent 7 December 1945
Commencement 7 December 1945

1 Short Title

This Act may be cited as the Reserves and other Lands Disposal Act 1945.

9 Authorising the sale of certain recreation reserves in Block X, Christchurch Survey District, and providing for the application of the proceeds towards the acquisition of land for domain purposes

Whereas by section 14 of the Reserves and other Lands Disposal Act 1934 the reservations over certain lands in Block X, Christchurch Survey District, were cancelled and such lands were declared to be Crown land available for disposal by way of sale for cash under the Land Act 1924:

And whereas by the said section authority was provided for the payment of the proceeds of the sale of the said lands, less the costs of the sale of such lands, to the Waimairi County Council (hereinafter called the **Council**), and it was further provided that such moneys should be paid by the Council into the sinking fund of any loan raised by it for the purpose of acquiring land for a public domain or be otherwise applied towards the redemption of such loan:

And whereas the Council borrowed by way of special loan a certain sum to enable it to acquire land in the Fendalton Riding as a public domain, and on acquisition transferred the land to the Crown for that purpose:

And whereas the Council has been authorised to raise a further loan for the purpose of acquiring additional land in the Fendalton Riding for a public domain:

And whereas such land has been duly acquired and is being transferred to the Crown for that purpose:

And whereas there are situated within the said riding certain further reserves which have become vested in the Crown upon the subdivision of private properties, and which could be sold without detriment to the district:

And whereas it is desirable that such reserves should be sold and the proceeds therefrom paid to the Council to be applied as hereinafter appearing:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928, or in any other Act, the existing reservation for recreation purposes over the lands hereinafter described is hereby cancelled and such lands are hereby declared to be Crown land available for disposal by way of sale for cash under the Land Act 1924.
- (2) The provisions of subsection (2) of section 14 of the Reserves and other Lands Disposal Act 1934, relating to the proceeds of the sale of the lands disposed of pursuant to subsection (1) of that section shall apply, with the necessary modifications, to the proceeds of the sale of the lands referred to in the last preceding subsection.
- (3) The lands to which subsection (1) relates are particularly described as follows:

All those areas in the Canterbury Land District, containing by admeasurement 1 acre 18 perches and four-tenths of a perch, more or less, being Reserves numbered 4436, 4400, and 4340, situated in Block X, Christchurch Survey District: as the same are more particularly delineated on the plans marked L and S 1/1105 G, H, and J, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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 Reserves and other Lands Disposal Act 1934. The reprint incorporates all the amendments to the Act as at 1 July 2003, 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)*

Local Government (Rating) Act 2002 (2002 No 6): section 138(1)

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

Reserves and other Lands Disposal Act 1940 (1940 No 13): section 28(10)

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