

**Reprint
as at 7 December 1951**



**Reserves and Other Lands Disposal
Act 1951**

Public Act 1951 No 76
Date of assent 6 December 1951
Commencement 6 December 1951

Contents

	Page
Title	3
1 Short Title	3
2 Declaring certain lands reserved as endowments for the establishment of an experimental dairy school for the North Island to be Crown land subject to the provisions of the Land Act 1948	3
3 Vesting portions of Hutt Valley Domain in the Lower Hutt City Corporation in trust as reserves for recreation purposes	5
4 Section 26, Reserves and Other Lands Disposal Act 1948, repealed	6
5 Declaring portion of the Mackenzie Domain to be Crown land subject to the Land Act 1948	6
6 Revoking an Order in Council concerning Hauturu Block (Little Barrier Island)	7

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.

7	Closing certain portions of a public road and declaring certain lands to be public road in Block XIV, Waimate Survey District	8
8	Granting the Bluff Borough Council special leasing powers over certain endowments	10
9	Declaring land in Hanmer Township subject to the Tourist and Health Resorts Control Act 1908 to be Crown land	12
10	Conferring certain powers on the trustees of the late James Gammack	12
11	Declaring certain land in Block X, Orahiri Survey District, to be Crown land subject to the Land Act 1948	14
12	Authorising the Christchurch City Council to sell certain lands	15
13	Authorising the Auckland City Council to sell portion of Grey Lynn Domain and declaring another portion of the said domain to be public street	16
14	Vesting the Newmarket Domain in the Corporation of the Borough of Newmarket subject to certain trusts	17
15	Validating certain leases and extending the leasing powers of the Palmerston Borough Council in respect of certain lands	19
16	Vesting portion of a scenic reserve and an area of Crown land in the Corporation of the City of Auckland as water supply reserves	21
17	Vesting certain land in the Te Rau a moa Hall Society (Incorporated)	22
18	Authorising the Auckland City Council to reclaim certain land from the sea	23
19	Declaring certain land to have been granted to the Corporation of the Borough of Arrowtown as an endowment	24
20	Authorising the Gisborne Borough Council to sell certain land	25
21	Authorising the Stratford Borough Council to sell certain land	26
22	Making special provision in regard to certain compensation moneys to be paid to the Wanganui City Council	27
23	Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948	28

24	Amending section 15 of the Reserves and Other Lands Disposal Act 1941 (as to expenditure of trust funds by trustees of will of the late Sir John Logan Campbell)	32
25	Validating an agreement between His Majesty the King and the Otago Iron Rolling Mills Company, Limited	32
26	Vesting the bed of Lake Waiatarua in the Corporation of the City of Auckland	33
27	Closing of portions of a public street in the Borough of Hokitika and making provision for the sale or leasing thereof	34
28	Declaring certain land in Block XIX, Invercargill Hundred, to be Crown land	35
29	Declaring certain endowment lands in the Tauranga district to be vested in His Majesty as Crown land subject to the provisions of the Land Act 1948	37
30	Closing a riverbank road in Block XI, Ohinewairua Survey District	40
31	Authorising the Patea Borough Council to sell certain lands	41
	Schedule	42
	Description of land in Patea Borough authorised to be sold by Patea Borough Council	

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 1951.

2 Declaring certain lands reserved as endowments for the establishment of an experimental dairy school for the North Island to be Crown land subject to the provisions of the Land Act 1948

Whereas the lands described in subsection (6) are reserved as endowments for the establishment of an experimental dairy

school for the North Island in such manner as the Minister of Agriculture directs:

And whereas the rents and profits in respect of the said lands are paid to a special deposit account called the North Island Experimental Dairy School Account:

And whereas the said lands are no longer required for the purposes for which they are reserved and it is desired to declare them to be ordinary Crown land subject to the Land Act 1948:

And whereas it is necessary to make provision for the disbursement of any moneys held in the said special deposit account:

Be it therefore enacted as follows:

- (1) The lands described in subsection (6) are hereby declared to be no longer set apart as endowments for the establishment of an experimental dairy school for the North Island and shall be deemed to be Crown land under and subject to the provisions of the Land Act 1948 subject to all leases, encumbrances, liens, and easements affecting the same.
- (2) All moneys standing to the credit of the special account known as the North Island Experimental Dairy School Account shall, without further authority than this section, be transferred to the Loans Redemption Account and the said special account shall be closed.
- (3) The District Land Registrar for the Taranaki Land Registration District is hereby authorised and directed to do all such things as are necessary to give effect to the provisions of this section and to make all necessary endorsements on any certificates of title in respect of the said lands, and any such certificates shall enure in the name of His Majesty until the expiration or sooner determination of any lease registered against the same, and shall then be cancelled by the said District Land Registrar.
- (4) The cancellation of any certificate of title under the provisions of subsection (3) shall not affect the legal or equitable rights or interests of any person in or concerning the land comprised in any such certificate of title.
- (5) The Land Settlement Board may accept a surrender of any lease in respect of the said lands, or any part thereof, which subsists at the coming into force of this section, and any such

surrender shall be on such terms and conditions as the Board thinks fit.

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

Firstly, all that area in the Taranaki Land District, Waimate West County, containing by admeasurement 90 acres and 20 perches, more or less, being Section 32, Block III, Waimate Survey District, part of the said land being more particularly delineated as Lot 19 on a plan deposited in the Land Registry Office at New Plymouth under Number 4321, the said land being the whole of that comprised and described in certificate of title, Volume 147, folio 167, Taranaki Registry.

Secondly, all that area in the Taranaki Land District, Hawera County, containing by admeasurement 65 acres 1 rood 24 perches and two-tenths of a perch, more or less, being Subdivisions 1, 2, and 4 of Section 534, Patea District, situated in Block XI, Hawera Survey District: as the same is more particularly delineated on the plan marked L and S 26/787B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (SO Plan 7506.)

3 Vesting portions of Hutt Valley Domain in the Lower Hutt City Corporation in trust as reserves for recreation purposes

Whereas the lands described in subsection (3) are portions of the Hutt Valley Domain under and subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928:

And whereas the Hutt County Council has been appointed to be the Domain Board thereof:

And whereas it is expedient that the said lands be vested in the Lower Hutt City Corporation in trust as reserves for recreation purposes:

Be it therefore enacted as follows:

- (1) The lands described in subsection (3) are hereby declared to be no longer portions of the Hutt Valley Domain under the control of the Hutt Valley Domain Board, and the said lands are hereby vested in the Corporation of the City of Lower Hutt

in trust as reserves for recreation purposes under and subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.

- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to make such entries in his register books and to cancel such certificates of title and to do all such other things as may be necessary to give effect to the provisions of this section.

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

Firstly, all those areas in the Wellington Land District, City of Lower Hutt, containing by admeasurement 1 acre 2 roods and two-hundredths of a perch, more or less, being lots 24 and 34 on a plan deposited in the Land Registry Office at Wellington under Number 9893, and being parts of Section 34, Hutt Registration District, Block XIV, Belmont Survey District, and being part of the land comprised and described in certificate of title, Volume 164, folio 166, Wellington Registry.

Secondly, all that area in the Wellington Land District, City of Lower Hutt, containing by admeasurement 1 acre and 1 rood, more or less, being Lot 12 on a plan deposited in the Land Registry Office at Wellington under Number 6516, and being part of Section 52, Hutt Registration District, Block IX, Belmont Survey District, and being part of the land comprised and described in certificate of title, Volume 306, folio 190, Wellington Registry.

4 Section 26, Reserves and Other Lands Disposal Act 1948, repealed

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

5 Declaring portion of the Mackenzie Domain to be Crown land subject to the Land Act 1948

Whereas the land described in subsection (2) is subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and forms portion of the Mackenzie Domain:

And whereas it is expedient that the said land be declared to be Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The land described in subsection (2) is hereby declared to be no longer subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928, and the said land is hereby declared to be Crown land subject to the Land Act 1948.

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

All that area in the Canterbury Land District, containing by admeasurement 5 acres and 27 perches, more or less, being part of Reserve 3171, Block VII, Cheviot Survey District: as the same is more particularly delineated on the plan marked L and S 1/143D, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red. (SO Plan 1395.)

6 Revoking an Order in Council concerning Hauturu Block (Little Barrier Island)

Whereas by an Order in Council dated 3 March 1908 and published in the *Gazette* of 12 March 1908 at page 849 (in this section referred to as the **said Order in Council**) the control of the land described in subsection (2), being a reserve for the preservation of native fauna, was, together with the control of certain other reserves, vested in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908:

And whereas it is desired to revoke the said Order in Council in so far as it affects the said land:

Be it therefore enacted as follows:

- (1) So much of the said Order in Council as relates to the land described in subsection (2) is hereby revoked.

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

All that area in the North Auckland Land District, Little Barrier Survey District, containing by admeasurement 6 960 acres, more or less, being the Hauturu Block (or Little Barrier

Island) and being the whole of the land comprised and described in certificate of title, Volume 74, folio 147, Auckland Registry.

7 Closing certain portions of a public road and declaring certain lands to be public road in Block XIV, Waimate Survey District

Whereas in January 1906 the Waimate County Council caused a survey to be made for the purposes of making certain deviations of Mill Road passing through Rural Section numbered 4316, Canterbury Land District, and a plan of the survey, under Number 2104A, was lodged in the office of the Chief Surveyor at Christchurch:

And whereas the Waimate County Council proposed to close the portions of Mill Road firstly, secondly, and thirdly described in subsection (6) and to take the lands fourthly described in the said subsection for a public road to form part of Mill Road:

And whereas in April 1943 the adjoining land was subdivided and the subdivisional plan thereof was deposited in the Land Registry Office at Christchurch under Number 12320:

And whereas the Mill Road frontage to the various lots on the said plan Number 12320 was defined as if the deviation of Mill Road hereinbefore mentioned had been lawfully carried out:

And whereas the portions of Mill Road firstly described in subsection (6) have become included within the boundaries of Lots 1 and 2 of the said plan Number 12320 and the portion of Mill Road secondly described in the said subsection has become included within the boundaries of Lot 4 on the said plan Number 12320:

And whereas the portions of Rural Section Number 4316 and part of the bed of Waimate Stream fourthly described in subsection (6) have been delineated on the said plan numbered 12320 and upon the certificates of title issued over the lots shown thereon, as being portions of Mill Road:

And whereas it has now been discovered that the necessary steps for carrying out the deviation of Mill Road were not at any time completed:

And whereas it is now expedient to validate the existing plans and certificates of title relating to the lots shown thereon:

Be it therefore enacted as follows:

- (1) The portions of Mill Road firstly described in subsection (6) are hereby declared to be closed and the inclusion of those areas, as parts of Lots 1 and 2 on the said Deposited Plan Number 12320, in certificate of title, Volume 513, folio 198, Canterbury Registry, is hereby validated.
- (2) The portion of Mill Road secondly described in subsection (6) is hereby declared to be closed, and the inclusion of that portion, as part of Lot 4 on the said Deposited Plan Number 12320, in certificate of title, Volume 486, folio 114, Canterbury Registry, is hereby validated.
- (3) The portion of Mill Road thirdly described in subsection (6) is hereby declared to be closed, and the area comprised therein shall form part of the bed of Waimate Stream subject to any riparian rights appurtenant to the adjoining land.
- (4) The portions of Rural Section Number 4316 and the portion of the bed of Waimate Stream fourthly described in subsection (6) are hereby declared to be portions of a public road called Mill Road, and the control thereof is hereby vested in the Waimate County Council and the delineation of those areas as road on the said Deposited Plan Number 12320, and on all relevant certificates of title, is hereby validated.
- (5) The District Land Registrar of the Land Registration District of Canterbury is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The lands to which this section relates are particularly described as follows:

Firstly, all those areas in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement 24 perches and one-tenth of a perch; 1 rood 12 perches and one-tenth of a perch; 1 rood 4 perches; and 1 perch and nine-tenths of a perch, being portions of Mill Road passing through Rural Section Number 4316: as the same are more particularly delineated on a plan lodged in

the office of the Chief Surveyor, at Christchurch, under Number 8396, and thereon coloured green.

Secondly, all that area in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement four-tenths of a perch, being portion of Mill Road passing through Rural Section Number 4316: as the same is more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under Number 8396, and thereon coloured green and bordered green.

Thirdly, all that area in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement 8 perches and nine-tenths of a perch, being portion of Mill Road over the bed of Waimate Stream: as the same is more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under Number 8396, and thereon coloured green and bordered green.

Fourthly, all those areas in the Canterbury Land District, County of Waimate, situated in Block XIV, Waimate Survey District, containing by admeasurement 2 roods 3 perches and eight-tenths of a perch; 1 rood 11 perches; and 1 perch and three-tenths of a perch, being portions of Rural Section Number 4316 and portion of the bed of Waimate Stream: as the same are more particularly delineated on a plan lodged in the office of the Chief Surveyor, at Christchurch, under Number 8396, and thereon coloured red.

8 Granting the Bluff Borough Council special leasing powers over certain endowments

Whereas the lands described in subsection (6) are reserved as endowments in aid of the borough funds for the benefit of the Borough of Campbelltown (now the Borough of Bluff):

And whereas the Bluff Borough Council (in this section referred to as the **Council**) has erected dwellinghouses on the said lands and has granted tenancies in respect of the same:

And whereas the Council wishes to sell the buildings and other fixtures on the said lands to the tenants thereof and also desires

to grant the tenants leases of the lands tenanted by them without having to offer the leases by or for public auction, public tender, or public application:

And whereas the Council has no power to carry out its wishes, and it is expedient to make provision enabling the Council to do so:

Be it therefore enacted as follows:

- (1) The lands described in subsection (6) are hereby declared to be vested in the Corporation of the Borough of Bluff for the purposes of endowments in aid of the general funds of that borough.
- (2) The Council may grant leases of parts of the said lands to the existing tenants of any such parts by private treaty and without complying with the provisions of paragraph (a) of section 159 of the Municipal Corporations Act 1933.
- (3) It shall be lawful for the Council to require any person to whom it proposes to grant a lease under this section to purchase the buildings and other fixtures on the land concerned at such price as may be agreed upon and on such conditions as to the payment of the purchase moneys and interest thereon as the Council thinks fit.
- (4) The powers conferred on the Council by this section shall be in addition to and not in substitution for any other powers of the Council relating to the leasing of lands held by the Corporation of the Borough of Bluff.
- (5) The District Land Registrar for the Southland Land Registration District is hereby authorised and directed to deposit such plans, accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The lands to which this section relates are particularly described as follows:

All that area in the Southland Land District, containing by admeasurement 2 acres 1 rood 28 perches and eight-tenths of a perch, more or less, being Lots 1 to 12 inclusive, 14, 15, 21, and 22 on a plan deposited in the Land Registry Office at Invercargill under Number 4386, and being Section 5 and part of

Section 4, Block V, and part of Section 1, Block XXV, Town of Campbelltown.

9 Declaring land in Hanmer Township subject to the Tourist and Health Resorts Control Act 1908 to be Crown land

Whereas by an Order in Council dated 13 February 1911, and published in the *Gazette* of 23 February 1911, the control of certain reserves at Hanmer was vested in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908 to be administered under that Act:

And whereas, by section 130 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22, the control of the said reserves was vested in the Minister of Health:

And whereas it is expedient that portion of one of the said reserves be declared to be Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The vesting of the control of the land described in subsection (2) in the Minister of Health is hereby cancelled and the said land is hereby declared to be Crown land subject to the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

All that area situated in Hanmer Township, Block II, Lyndon Survey District, containing by admeasurement 10 perches and one-tenth of a perch, more or less, being part of Reserve 3780: as the same is more particularly delineated on the plan marked L and S 9/796/6, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (SO Plan 8286.)

10 Conferring certain powers on the trustees of the late James Gammack

Whereas the lands described in subsection (3) are vested in the trustees for the time being of the will of James Gammack, late of Springston, in the Provincial District of Canterbury, farmer, deceased, but without power of sale:

And whereas the trustees desire to sell and dispose of the said lands and invest the proceeds arising from the sale in trust for the beneficiaries of the said will:

And whereas it is expedient that provision be made in that behalf:

Be it therefore enacted as follows:

- (1) The trustees for the time being of the will of the said James Gammack, deceased, may, with the consent of the beneficiaries interested in the lands and with the approval of the Commissioner of Crown Lands for the Canterbury Land District, sell the lands described in subsection (3) and invest the proceeds of any such sales for the benefit of the beneficiaries under the said will.
- (2) Subject to the consent of the said beneficiaries, and to the approval of the said Commissioner, any such lands may be sold either in 1 lot or in several lots by public auction or by private contract upon such terms as to payment of purchase money and subject to such stipulations as to title or otherwise as the aforesaid trustees shall think fit, with power for the said trustees to buy in or rescind or vary contracts for sale and to resell without responsibility for loss.
- (3) The lands to which this section relates are particularly described as follows:

Firstly, all that area situated in Block VIII, Leeston Survey District, containing by admeasurement 3 acres 3 roods and 38 perches, more or less, being Lot 7 on the plan deposited in the Land Registry Office at Christchurch under Number 11913, being part of Rural Section Number 3043, and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry.

Secondly, all that area situated in Block VIII, Leeston Survey District, containing by admeasurement 7 acres 2 roods and 15 perches, more or less, being Lot 12 on the plan deposited in the Land Registry Office at Christchurch under Number 5565, being part of Rural Section Number 3043, and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry.

11 Declaring certain land in Block X, Orahiri Survey District, to be Crown land subject to the Land Act 1948

Whereas by Order in Council dated 19 August 1908, and published in the *Gazette* of 27 August 1908, the control of certain scenic reserves in Orahiri Survey District was vested in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908, and it was declared that the said reserves should be administered under that Act:

And whereas it is no longer desirable or necessary that the portion of one of the said scenic reserves more particularly described in subsection (3) should be administered under the said Act nor has the said portion any scenic value:

And whereas it is desirable that the said portion of scenic reserve should be made Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The vesting in the Minister for the time being having the administration of the Tourist and Health Resorts Control Act 1908 of the control of the land described in subsection (3) is hereby cancelled.
- (2) The reservation of the said land for scenic purposes is hereby revoked and the land is hereby declared to be Crown land subject to the Land Act 1948.
- (3) The land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District, Waitomo County, containing by admeasurement 55 acres, more or less, being part of Section 6 of Block X, Orahiri Survey District: as the same is more particularly delineated on the plan marked L and S 4/156B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland SO Plan 34626.)

12 Authorising the Christchurch City Council to sell certain lands

Whereas the lands described in subsection (3) are vested in the Corporation of the City of Christchurch and form portion of the Sydenham Cemetery:

And whereas the said lands are not required for cemetery purposes:

And whereas it is desirable to empower the Christchurch City Council to sell the said lands:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Cemeteries Act 1908, or in any other Act, the Christchurch City Council may sell the lands described in subsection (3) or any part or parts thereof in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any of the said lands any trust, reservation, or restriction theretofore affecting the same shall be deemed to be cancelled.
- (2) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed, on the deposit of such plan or plans as he may require, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The lands to which this section relates are particularly described as follows:

All those areas in the Canterbury Land District, City of Christchurch, containing a total area of 1 rood 32 perches and five-tenths of a perch, more or less, being parts of Rural Section 154 and being parts of the land comprised and described in certificate of title, Volume 202, folio 292, Canterbury Registry: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at Christchurch under Number 8412, and thereon coloured red and blue.

13 Authorising the Auckland City Council to sell portion of Grey Lynn Domain and declaring another portion of the said domain to be public street

Whereas the lands described in subsection (6) are portions of the Grey Lynn Domain and are vested in the Corporation of the City of Auckland under the provisions of the Grey Lynn Domain Vesting Act 1909 for the purposes of public recreation and enjoyment:

And whereas the land firstly described in the said subsection is not required for the purposes for which it is held and it is expedient to make provision enabling the Auckland City Council to sell that land subject to a condition that the proceeds thereof shall be applied towards the maintenance and improvement of the residue of the land held by the said Corporation under the provisions of the Grey Lynn Domain Vesting Act 1909:

And whereas it is desirable to declare the land secondly described in the said subsection to be held for the purposes of a public street:

Be it therefore enacted as follows:

- (1) The land firstly described in subsection (6) is hereby declared to be vested in the Corporation of the City of Auckland freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) The Auckland City Council may from time to time sell the whole or any part or parts of the said land firstly described by private treaty or otherwise. Any such sale or sales may be for cash or upon such terms and conditions as the Council thinks fit.
- (3) The proceeds of the sale of any of the said land firstly described shall, after payment thereof of any costs connected with the sale, be applied by the Council towards the maintenance or improvement of other lands held under the provisions of the Grey Lynn Domain Vesting Act 1909.
- (4) All trusts, reservations, and restrictions heretofore affecting the land secondly described in subsection (6) are hereby cancelled and that land is hereby declared to be vested in the Corporation of the City of Auckland for the purposes of a public street.

- (5) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the North Auckland Land District situated in Block XVI, Waitemata Survey District, containing by admeasurement 38 perches and eight-tenths of a perch, more or less, being Lots 19 and 20, Block 74, on a plan deposited in the Land Registry Office at Auckland under Number 1720, and being portion of Allotment 40, Section 8, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 165, folio 140, Auckland Registry: as the same is more particularly delineated on the plan marked L and S 1/287, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (SO Plan 36823.)

Secondly, all that area in the North Auckland Land District situated in Block XVI, Waitemata Survey District, containing by admeasurement 19 perches and four-tenths of a perch, more or less, being portion of a closed street and being part of the land comprised and described in certificate of title, Volume 165, folio 140, Auckland Registry: as the same is more particularly delineated on the plan marked L and S 1/287, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow. (SO Plan 36823.)

14 Vesting the Newmarket Domain in the Corporation of the Borough of Newmarket subject to certain trusts

Whereas the lands described in subsection (5) (in this section referred to as the **said lands**) are vested in His Majesty the King for recreation purposes subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and form the Newmarket Domain:

And whereas the Newmarket Borough Council has been appointed the Domain Board having control thereof and has constructed a swimming pool structure on part of the said lands:

And whereas for the better management and enlargement of the said swimming pool structure it is expedient that the said lands be vested in the Corporation of the Borough of Newmarket subject to certain conditions, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same:

Be it therefore enacted as follows:

- (1) The said lands are hereby declared to be vested in the Corporation of the Borough of Newmarket in trust for municipal purposes without power of sale but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) That portion of the said lands hereby vested in the Corporation of the Borough of Newmarket as is described secondly in subsection (5) shall be maintained and administered by the Newmarket Borough Council as an open recreation space for the use, benefit, and enjoyment of the public generally, and the said Newmarket Borough Council shall accordingly have no power to erect any building or other structure on the said land that would be likely to interfere with the use of that portion as an open recreation space as aforesaid.
- (3) Subject to the provisions of this section, the said Newmarket Borough Council shall have and may exercise in respect of the said lands all the powers conferred by the Municipal Corporations Act 1933.
- (4) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (5) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the North Auckland Land District, Borough of Newmarket, situated in Block VIII, Rangitoto Survey District, containing by admeasurement 3 roods 17 perches and

seven-tenths of a perch, more or less, being part Allotments 32 and 39 of Section 4, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 6, folio 181, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 36943, and thereon bordered red.

Secondly, all that area in the North Auckland Land District, Borough of Newmarket, situated in Block VIII, Rangitoto Survey District, containing by admeasurement 1 rood 14 perches and sixty-seven hundredths of a perch, more or less, being part of Allotments 32 and 39 of Section 4, Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 6, folio 181, Auckland Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 36943, and thereon bordered yellow.

15 Validating certain leases and extending the leasing powers of the Palmerston Borough Council in respect of certain lands

Whereas the lands described in subsection (5) are vested in the Corporation of the Borough of Palmerston as reserves for the purposes referred to in the said subsection:

And whereas the Palmerston Borough Council (in this section referred to as the **Council**) has granted leases in respect of parts of the said lands:

And whereas the leases purport to confer certain rights to successive renewals thereof:

And whereas the Council has no power to grant leases containing those rights in respect of the said lands:

And whereas it is expedient that the leases granted by the Council be validated and that the Council be granted additional leasing powers in respect of the said lands:

Be it therefore enacted as follows:

- (1) All leases in respect of the lands described in subsection (5), or in respect of any parts of any such lands, granted heretofore by the Council and all rights of way granted or reserved in

connection therewith are hereby declared to be and to have been valid and binding and of full force and effect according to their tenor.

- (2) The registration of any of the said leases under the Land Transfer Act 1915 is hereby validated.
- (3) Notwithstanding anything to the contrary in any Act or rule of law, the Council shall have, in respect of the lands described in subsection (5), all powers of leasing and other powers set forth in sections 157, 158, 159, and 162 of the Municipal Corporations Act 1933.
- (4) The District Land Registrar for the Otago Land Registration District is hereby authorised and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (5) The lands to which this section relates are particularly described as follows:

All those areas in the Otago Land District being—

Firstly, all that area situated in the Palmerston Borough containing 1 rood, more or less, and being Section 15, Block XVII, Town of Palmerston, and being all the land comprised and described in certificate of title, Volume 96, folio 176, Otago Registry (SO Plan 756TN); being reserved as a site for Borough Council offices.

Secondly, all that area situated in the Waihemo County containing 859 acres 2 roods, more or less, being Section 8, Block VI, Dunback Survey District, and being all the land comprised and described in certificate of title, Volume 96, folio 73, Otago Registry (SO Plan 421); being reserved for the purposes of the Palmerston Free Library.

Thirdly, all that area situated in the Palmerston Borough containing 5 acres and 2 perches, more or less, being Section 18, Block XXXIII, Town of Palmerston, and being all the land comprised and described in certificate of title, Volume 12, folio 192, Otago Registry (SO Plan 758TN); being reserved for a public market.

Fourthly, all those areas situated in the Palmerston Borough containing together 96 acres 1 rood 28 perches and two-tenths

of a perch, more or less, being Sections 16, 17, 19, 22, 23, 24, 25, 26, and Part Sections 20 and 21, Block XXXIII, Town of Palmerston, and being the balance of the land comprised and described in certificate of title, Volume 46, folio 57, Otago Registry (SO Plan 758TN); being reserved for a public pound, cattle yards, and other municipal purposes.

16 Vesting portion of a scenic reserve and an area of Crown land in the Corporation of the City of Auckland as water supply reserves

Whereas the land firstly described in subsection (3) is vested in His Majesty and is portion of a reserve for scenic purposes under and subject to the provisions of the Scenery Preservation Act 1908:

And whereas the land secondly described in subsection (3) is Crown land subject to the Land Act 1948:

And whereas it is desirable that the said lands be vested in the Corporation of the City of Auckland in trust as reserves for water supply purposes:

Be it therefore enacted as follows:

- (1) The land firstly described in subsection (3) is hereby declared to be no longer set apart for scenic purposes under the provisions of the Scenery Preservation Act 1908, and that land is hereby vested in the Corporation of the City of Auckland in trust as a reserve for water supply purposes subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (2) The land secondly described in subsection (3) is hereby reserved for water supply purposes and vested in the Corporation of the City of Auckland in trust for those purposes subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (3) The lands to which this section relates are particularly described as follows:

All those areas in the North Auckland Land District, Franklin County, being—

Firstly, all that area situated in Block II, Opaheke Survey District, containing by admeasurement 67 acres and 3 roods, more

or less, being part of Allotments 48, 49, and 50, Otau Parish: as the same is more particularly delineated on the plan marked L and S 4/450, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured yellow. (SO Plan 36021.)

Secondly, all that area situated in Blocks II and III, Opaheke Survey District, and Blocks XII and XIII, Wairoa Survey District, containing by admeasurement 233 acres, more or less, being part Allotment 67, Otau Parish: as the same is more particularly delineated on the plan marked L and S 4/450, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured sepia. (SO Plan 36021.)

17 Vesting certain land in the Te Rau a moa Hall Society (Incorporated)

Whereas the registered proprietor of the land described in subsection (3) is the Te Rau-a-moa Co-operative Dairy Company, Limited (in this section referred to as the **company**):

And whereas the company went into voluntary liquidation in the year 1912:

And whereas the name of the company was struck off the Register of Companies under the provisions of section 266 of the Companies Act 1908 in the year 1926:

And whereas prior to the company being struck off the Register as aforesaid its assets were sold to the Oparau Co-operative Dairy Company, Limited, but no transfer of the said land to that company was registered:

And whereas that last mentioned company entered into an agreement for the sale of the said land to the Te Rau a moa Hall Society (Incorporated), a society duly incorporated under the Incorporated Societies Act 1908, and having its registered office at Te Rauamoia (in this section referred to as the **society**):

And whereas certain moneys were paid pursuant to the agreement, but a sale was never finalised:

And whereas the society has dealt with the land as if it were the owner thereof for many years and has maintained a building

situated thereon as a hall for the benefit of the inhabitants of the locality:

And whereas it is desirable that the said land be vested in the society:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be vested in the society for an estate in fee simple freed and discharged from all liens, encumbrances, interests, and restrictions (if any) heretofore affecting the same.
- (2) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed, on application being made to him in that behalf, and on payment of the appropriate fees, to cancel the existing certificate of title in respect of the said land, and to issue a new certificate of title thereover in the name of the society, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District, containing by admeasurement 3 roods and 36 perches, more or less, being Section 5A of Block IX, Pirongia Survey District, and being the whole of the land comprised and described in certificate of title, Volume 243, folio 53, Auckland Registry.

18 Authorising the Auckland City Council to reclaim certain land from the sea

Whereas by the Grey Lynn Domain Vesting Act 1909 the area of tidal land described in subsection (3) was vested in the Corporation of the Borough of Grey Lynn:

And whereas the Borough of Grey Lynn is now merged in the City of Auckland and the said land is now vested in the Corporation of that City:

And whereas, pursuant to the said Act, the Auckland City Council (in this section referred to as the **Council**) is empowered to do all such things as may be requisite for the purpose of maintaining, ornamenting, laying out, and managing the said land:

And whereas the Council desires to reclaim the said land from the sea, but doubts have arisen as to its powers to undertake that work:

And whereas it is desirable that the Council be empowered to reclaim the said land as aforesaid:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Harbours Act 1950 or in any other Act or rule of law, the Council is hereby authorised and empowered to reclaim from the sea the land described in subsection (3), and the reclamation may be carried out without the necessity of complying with any provision of the Harbours Act 1950 relating to the reclamation of land from the sea.
- (2) For the purposes of the Harbours Act 1950 this section shall be deemed to be a special Act.
- (3) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, situated in Block XVI, Waitemata Survey District, containing by admeasurement 28 acres 1 rood and 14 perches, more or less, being Allotment 21 of Section 9, Suburbs of Auckland, and being the whole of the land comprised and described in certificate of title, Volume 165, folio 87, Auckland Registry: as the same is more particularly delineated on the plan marked MD 9292, deposited in the Head Office of the Marine Department at Wellington, and thereon bordered red. (SO Plan 15262.)

19 Declaring certain land to have been granted to the Corporation of the Borough of Arrowtown as an endowment

Whereas by an Order in Council dated 19 March 1947, and published in the *Gazette* of 27 March 1947, the land described in subsection (3) was vested in the Corporation of the Borough of Arrowtown in trust for municipal purposes under the Public Reserves, Domains, and National Parks Act 1928:

And whereas the said vesting was in compensation for the taking by the Crown, under the Public Works Act 1928, of certain

land previously held by the said Corporation in trust as an endowment for the municipality of Arrowtown:

And whereas the Arrowtown Borough Council has dealt with the said land described in subsection (3) as if that land had been vested in it in trust as endowment land and in particular has granted leases in respect of portions of the said land which purport to confer certain rights to successive renewals thereof:

And whereas doubts have arisen as to the validity of those leases:

And whereas, to resolve those doubts, it is expedient to declare the said land to have been granted in trust as an endowment:

Be it therefore enacted as follows:

- (1) All trusts, reservations, and restrictions heretofore affecting the land described in subsection (3) are hereby revoked and the said land shall be deemed for all purposes to have been granted to the Corporation of the Borough of Arrowtown, from 19 March 1947, in trust for the purposes of an endowment in aid of the funds of the Borough of Arrowtown.
- (2) The District Land Registrar for the Otago Land Registration District is hereby authorised and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Otago Land District, Borough of Arrowtown, containing by admeasurement 1 acre 28 perches and sixty-four hundredths of a perch, more or less, being Sections 1, 2, 9, 10, and 11 of Block III, Town of Arrowtown, the said land being the whole of that comprised and described in certificate of title, Volume 327, folio 247, Otago Registry.

20 Authorising the Gisborne Borough Council to sell certain land

Whereas the lands described in subsection (4) are vested in the Corporation of the Borough of Gisborne for the purposes of an endowment for the improvement and benefit of the Township of Gisborne:

And whereas it is expedient to empower the Gisborne Borough Council to sell the said lands and apply the proceeds thereof in the manner hereinafter provided:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Gisborne Borough Council may sell the lands described in subsection (4) or any part or parts thereof, in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any such land all trusts, reservations, and restrictions theretofore affecting the same shall be deemed to be cancelled.
- (2) The net proceeds from the sale of the said lands shall be paid into a separate account and be applied in or towards the cost of purchasing land for municipal purposes or the erection or construction of buildings, improvements, or amenities of any kind on land controlled by the Gisborne Borough Council or vested in the Corporation of the Borough of Gisborne.
- (3) The District Land Registrar for the Gisborne Land Registration District is hereby authorised and directed to deposit such plans, to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The lands to which this section relates are particularly described as follows:

All those areas in the Borough of Gisborne, Gisborne Land District, containing by admeasurement 10 acres 2 roods and 1 perch, more or less, being Sections 62A, 63A, 64A, 65A, 66A, 67A, 68A, 69A, and 70A, Town of Gisborne, and being the whole of the land comprised and described in certificate of title, Volume 76, folio 70, Gisborne Registry.

21 Authorising the Stratford Borough Council to sell certain land

Whereas by a warrant issued pursuant to sections 37 and 38 of the Land Act 1877 Amendment Act 1884, dated 20 December 1884, and published in the *Gazette* of 24 December 1884, the land described in subsection (4) was reserved for an en-

dowment in aid of the Town Board funds for the benefit of the Town of Stratford:

And whereas the said land is now vested in the Corporation of the Borough of Stratford:

And whereas it is expedient to empower the Stratford Borough Council to sell the said land by private contract and apply the proceeds thereof towards the purchase of other land to be held for endowment purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Stratford Borough Council may sell the land described in subsection (4) by private treaty, in such manner, on such terms, and subject to such conditions as it thinks fit and on the sale all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.
- (2) The net proceeds from the sale of the said land shall be applied in or towards the purchase of other land to be held by the Corporation of the Borough of Stratford in trust as an endowment in aid of the borough funds.
- (3) The District Land Registrar for the Taranaki Land Registration District is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Taranaki Land District, Borough of Stratford, containing by admeasurement 1 rood and 3 perches, more or less, being Section 816, Town of Stratford, and being part of the land comprised and described in certificate of title, Volume 70, folio 116, Taranaki Registry.

22 Making special provision in regard to certain compensation moneys to be paid to the Wanganui City Council

Whereas the Minister of Works, on behalf of His Majesty the King, proposes to acquire from the Corporation of the City of Wanganui, under the Public Works Act 1928, portion of

an endowment in aid of the funds of the City of Wanganui, together with portion of an unformed street adjacent thereto:

And whereas it is desirable to make provision for the payment of the compensation moneys in respect of the acquisition of the aforesaid lands direct to the Wanganui City Council and also to make provision for the application of those moneys:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928, the said compensation moneys may be paid direct to the Wanganui City Council, and the Council's receipt therefor shall be a valid and complete discharge of liability for compensation.
- (2) A portion of the compensation moneys, amounting to 1,000 pounds, representing the value of the land (exclusive of any improvements) shall be paid by the Wanganui City Council into a separate account and be applied, with the consent of the Minister of Lands, either towards the purchase of land for municipal purposes or for the improvement of land used by the public for recreation purposes. The remainder of the said compensation moneys shall be paid by the said Wanganui City Council into its general account and be applied for such purposes as the Council thinks fit.
- (3) The endowment land to which this section relates is particularly described as follows:

All that area in the City of Wanganui, containing 2 roods and 20 perches, more or less, which is shown as Lots 5 and 6 on Deeds Plan 237, being part Reserve L of the Town of Wanganui, and being part of the land in certificate of title, Volume 509, folio 29 (limited as to parcels and title), Wellington Registry.

23 Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948

Whereas the lands described in subsection (2) are set apart as permanent State forest land and are subject to the Forests Act 1949:

And whereas the said lands are not required as State forest land, and it is desirable that they should be declared Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The setting apart of the lands described in subsection (2) as permanent State forest land is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948.
- (2) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the Kaitieke County, Wellington Land District, containing by admeasurement 6 acres 1 rood 35 perches and five-tenths of a perch, more or less, being Sections 3, 4, 5, 6, 7, 8, 9, and 11 of Block V, Town of Kakahi, situated in Block VI, Hunua Survey District. (Wellington SO Plan 16929.)

Secondly, all that area in the Southland Land District containing by estimation 2 500 acres, more or less, inclusive of roads, tramway reserve, and streams, and bounded as follows:

Commencing at the south-western corner of Section 4, Block XXI, Jacobs River Hundred; thence in an easterly direction along the southern boundary of the said Section 4 and that boundary produced to the left bank of the Pourakino River; thence in a southerly direction generally by the left bank of the Pourakino River, to a point in line with the western boundary of Section 26, Ermedale Settlement, Block XIII, Jacobs River Hundred; thence southerly to and along the western boundary of the said Section 26, across the Pourakino River and a road reserve, and along the western boundary of Section 21, Ermedale Settlement aforesaid, to the south-western corner thereof; thence westerly along the northern side of a public road forming the northern boundary of Part Section 1 and Section 37, Block XIX, Jacobs River Hundred, to Pourakino Road; thence north-westerly along the north-eastern side of Pourakino Road to a point in line with the northern boundary of the aforesaid Section 37; thence south-westerly to and along the northern boundary of the aforesaid Section 37 for a distance of 4 180 links; thence through Sections 19 and 17,

Block XX, Jacobs River Hundred, north-westerly by a right line on a bearing of $329^{\circ} 27'$ for a distance of 5 160 links, and south-westerly generally by right lines on a bearing of $239^{\circ} 27'$ for a distance of 1 071.7 links, on a bearing of $149^{\circ} 27'$ for a distance of 1 494.0 links, on a bearing of $162^{\circ} 03'$ for a distance of 194.8 links, on a bearing of $239^{\circ} 27'$ for a distance of 1 070 links, on a bearing of $149^{\circ} 27'$ for a distance of 1 755.9 links, on a bearing of $59^{\circ} 26' 50''$ for a distance of 473.1 links, on a bearing of $149^{\circ} 26' 50''$ for a distance of 601 links, and on a bearing of $239^{\circ} 26' 50''$ for a distance of 700 links, to the eastern boundary of Section 16, Block XX aforesaid; thence north-westerly along the eastern boundary of the aforesaid Section 16 to Cascade Road; thence west-erly generally, along the southern side of Cascade Road to a point in line with the eastern boundary of Section 9, Block XX aforesaid; thence north-westerly to and along the eastern boundary of the aforesaid Section 9 to the south-western corner of Section 10, Block XX aforesaid; thence north-easterly along the southern boundary of the aforesaid Section 10, to and across a tramway reserve and the Pourakino Road to the eastern side thereof; thence northerly generally along the eastern side of the Pourakino Road to the point of commencement. Excepting from the above description the public road known as Pourakino Road: as the same is more particularly delineated on the plan marked L and S 22/2053A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

Thirdly, all that area in the Westland County, Westland Land District, containing by admeasurement 6 acres, more or less, situated in Block VII, Bruce Bay Survey District, being part of State Forest Reserve Number 1685, and being also part of Section 2650, bounded as follows:

Commencing at the most easterly corner of Section 780; thence by a right line to a point on the south-eastern boundary of Section 2650 in line with the northern corner of Section 890; thence south-westerly and north-westerly along the south-eastern and south-western boundaries of Section 2650 aforesaid to the point of commencement: as the same is more particularly delineated on the plan marked L and S

10/98/119A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Fourthly, all that area in the Piako County, South Auckland Land District, situated in Blocks III, IV, VII, and VIII, Hapuakohe Survey District, containing by admeasurement 37 acres 2 roods and 34 perches, more or less, being parts of Hoe-o-Tainui North Numbers 6B 2J 1 and 6B 2J 2 Blocks: as the same is more particularly delineated on the plan marked L and S 21/130, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland SO Plan 34922.)

Fifthly, all that area in the Clifton County, Taranaki Land District, containing by admeasurement 1 rood 17 perches and eight-tenths of a perch, more or less, being part of Section 10, Block IV, Mimi Survey District: as the same is more particularly delineated on the plan marked L and S 10/94/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Taranaki SO Plan 8473.)

Sixthly, all that area in the Taupo County, Wellington Land District, situated in Blocks VIII and XII, Pihanga Survey District, containing 1 200 acres approximately, and being part of Hautu 5B 2A Block: as the same is more particularly delineated on the plan marked L and S 10/92/82A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Seventhly, all that area in the Thames County, South Auckland Land District, containing by admeasurement 92 acres 3 roods 23 perches and six-tenths of a perch, more or less, being parts of Whangamata Number 2 Block and now known as Sections 32, 33, and Part 31, Block XVI, Tairua Survey District: as the same is more particularly delineated on the plan marked L and S 22/1432/29, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland SO Plan 34594.)

24 Amending section 15 of the Reserves and Other Lands Disposal Act 1941 (as to expenditure of trust funds by trustees of will of the late Sir John Logan Campbell)

Whereas by section 15 of the Reserves and Other Lands Disposal Act 1941 the trustees of the will of the late Sir John Logan Campbell were authorised and empowered to expend from the trust funds held by them the sum of 2,000 pounds in the construction and tar sealing of a roadway and footpath from the roadway through the One Tree Hill Domain to the obelisk on One Tree Hill:

And whereas this work has not been done and the said money has not been expended:

And whereas it is now proposed to construct the roadway and footpath in more permanent form and to higher standards, and it is desired to increase the amount which the trustees may expend on those works:

Be it therefore enacted as follows:

Section 15 of the Reserves and Other Lands Disposal Act 1941 is hereby amended by omitting the words “2,000 pounds”, and substituting the words “16,000 pounds”.

25 Validating an agreement between His Majesty the King and the Otago Iron Rolling Mills Company, Limited

Whereas, for the purpose of facilitating the delivery to the Railways Department and other departments of State of supplies of certain iron and steel products, His Majesty the King, acting by and through the Minister of Industries and Commerce (in this section referred to as the **Minister**), of the one part, and the Otago Iron Rolling Mills Company, Limited, a company incorporated in New Zealand and having its registered office at Green Island (in this section referred to as the **company**), of the other part, have entered into and executed a certain agreement dated 16 November 1951, which agreement makes provision for the purchase by the Crown of certain land, chattels, and other property of the company, and for the granting to the company by the Crown of a licence for the use of that land and for the use and operation of certain machinery, plant, and other property of the Crown, and for various incidental matters:

And whereas it is desirable that the said agreement should be validated:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Minister shall be deemed for all purposes to have and to have had all powers and authorities necessary to enter into and execute the said agreement and to do all things requisite for the carrying out of the terms and conditions thereof, and to execute the necessary documents to give effect to that agreement.
- (2) The said agreement is hereby confirmed and validated and declared binding in all respects on the parties thereto, and shall have full force and effect according to its tenor.

26 Vesting the bed of Lake Waiaatarua in the Corporation of the City of Auckland

Whereas the land described in subsection (3), being the bed of Lake Waiaatarua, together with other lands surrounding the said lake, was, by deed of conveyance dated 9 August 1918 and registered in the Deeds Registry Office at Auckland under Number 263659, purported to be vested in the Corporation of the City of Auckland (in this section referred to as the **Corporation**) for an estate in fee simple for the purposes of a public park and recreation ground:

And whereas certificate of title, Volume 752, folio 250, Auckland Registry, for the land surrounding the said lake, has been issued under the provisions of the Land Transfer (Compulsory Registration of Titles) Act 1924 in the name of the Corporation for an estate in fee simple for the purposes of a public park and recreation ground under the Municipal Corporations Act 1933:

And whereas doubts have arisen as to whether the bed of the said lake is vested in the Corporation, and it is desirable to resolve those doubts:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be and to have been vested in the Corporation for an estate in fee

simple for the purposes of a public park and recreation ground under the Municipal Corporations Act 1933.

- (2) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed, upon application being made to him in that behalf, and upon payment of all necessary fees and the deposit of such plan or plans as he may require, to issue a certificate of title for the said land in the name of the Corporation and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District situated in Block II, Otahuhu Survey District, containing 55 acres and 20 perches, more or less, being the bed of Lake Waatarua: as the same is more particularly delineated on the plan marked L and S 1/1299, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Auckland SO Plan 36937.)

27 **Closing of portions of a public street in the Borough of Hokitika and making provision for the sale or leasing thereof**

Whereas the lands described in subsection (6) form portions of a public street in the Borough of Hokitika known as Revell Street:

And whereas dwellinghouses and other improvements have been erected on the said lands by persons having no legal title to those lands:

And whereas it is desirable to empower the Hokitika Borough Council (in this section referred to as the **Council**) to sell or lease the said lands as hereinafter provided:

Be it therefore enacted as follows:

- (1) The portions of public street described in subsection (6) are hereby declared to be closed and to be vested in the Corporation of the Borough of Hokitika freed and discharged from all rights of the public thereover as a public highway.
- (2) The Council may subdivide the said lands and may, by private treaty, either sell the lots in any subdivision to the respect-

ive occupier or occupiers thereof, or to the person or persons appearing to the Council to be entitled to the buildings and other improvements erected thereon, for such consideration as it thinks fit, or the Council may grant leases of any such lots to any such occupier or person under Part 16 of the Municipal Corporations Act 1933, at such rental as it thinks fit, without, in either case, complying with the provisions of paragraph (a) of section 159 or section 194 of that Act, or of section 128 of the Public Works Act 1928.

- (3) The powers conferred on the Council by this section are in addition to and not in substitution for any other powers of the Council relating to the leasing of lands held by the Corporation of the Borough of Hokitika.
- (4) Any sale authorised by this section may be for cash or upon such terms as the Council in its discretion thinks fit.
- (5) The District Land Registrar for the Westland Land Registration District is hereby authorised and directed to deposit such plans, issue such certificates of title, accept such documents for registration, make such entries in the register books, and do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The lands to which this section relates are particularly described as follows:

All those areas in the Westland Land District, Borough of Hokitika, containing by admeasurement 2 acres 36 perches and five-tenths of a perch and 1 acre 23 perches and five-tenths of a perch, more or less, being portions of Revell Street, Town of Hokitika, situated in Block I, Kaniere Survey District: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at Hokitika under Number 4568, and thereon coloured green.

28 Declaring certain land in Block XIX, Invercargill Hundred, to be Crown land

Whereas the certificate of title for the land described in subsection (5) is in the name of the Clifton Woodend and Bluff Athletic Society, a society formerly registered under the In-

corporated Societies Act 1908, and dissolved by the Registrar of Incorporated Societies on 21 December 1911:

And whereas no use is being made of the said land, and certain works are to be undertaken which will improve and benefit the land:

And whereas the Crown is desirous of acquiring the land in order that it may, as owner, contribute towards the cost of the proposed works and receive the benefit of the improvement of the said land due to those works:

Be it therefore enacted as follows:

- (1) The land described in subsection (5) is hereby declared to be vested in His Majesty as Crown land subject to the Land Act 1948.
- (2) The District Land Registrar for the Southland Land Registration District is hereby authorised and directed to cancel the certificate of title for the said land.
- (3) Any person claiming to have a legal or equitable interest in the said land immediately prior to the commencement of this Act shall, on proving his claim to the satisfaction of the Minister of Lands, be entitled to payment of compensation in respect of the taking of his interest.
- (4) Any such compensation shall be paid from the Land Settlement Account and shall not exceed the value of the land as at the date of the commencement of this Act:
provided that no payment of compensation shall be made under this section unless the claim for compensation is made within 5 years from that date.
- (5) The land to which this section relates is particularly described as follows:

All that area in the Southland Land District, containing by ad-measurement 9 acres 2 roods 3 perches and five-tenths of a perch, more or less, being Section 24, Block XIX, Invercargill Hundred, and being all the land comprised and described in certificate of title, Volume 135, folio 216 (limited as to title), Southland Registry.

29 Declaring certain endowment lands in the Tauranga district to be vested in His Majesty as Crown land subject to the provisions of the Land Act 1948

Whereas the lands described in subsection (7) are vested in the Maori Trustee for an estate in fee simple as an endowment for Maori schools under the provisions of the Tauranga Educational Endowment Reserves Act 1896:

And whereas other provision has now been made for the erection and maintenance of Maori schools and it is no longer necessary to retain the said lands as endowments and it is desirable that they should be declared Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The lands described in subsection (7) are hereby declared to be no longer held for the purposes of an endowment for Maori schools and the said lands are hereby declared to be vested in His Majesty the King as Crown land under and subject to the provisions of the Land Act 1948 but subject to all leases, encumbrances, liens, and easements affecting the same.
- (2) All rents, profits, proceeds, and other revenues accrued from the said lands and not applied in aid of Maori schools as provided by section 7 of the Tauranga Educational Endowment Reserves Act 1896 shall, without further authority than this section, be paid into the Public Account and shall be credited to the Consolidated Fund.
- (3) All leases over the whole or any part of the said lands shall be deemed to be made between His Majesty and the lessee named in the instrument of lease.
- (4) The provisions of section 122, subsections (1) and (2) of section 125, and section 126 of the Land Act 1948 shall, as far as they are applicable and with the necessary modifications, apply in the case of every lease which is in existence on the coming into force of this section over any part of the said lands and under which the lessee has a perpetual right of renewal.
- (5) Every certificate of title in respect of any of the lands vested in His Majesty pursuant to this section which is not subject to a registered lease current at the date of the coming into force thereof shall, without further authority than this section, be

cancelled by the District Land Registrar. Where any such land is subject to a registered lease current at the said date, the District Land Registrar shall, without further authority than this section, make all necessary endorsements on the certificate of title in respect of the land, and the certificate shall enure in the name of His Majesty until the expiration or sooner determination of the lease and shall then be cancelled by the District Land Registrar.

- (6) No cancellation of a certificate of title under the provisions of subsection (5) shall in any way affect the rights of any person entitled to any lease, encumbrance, lien, or easement, in existence at the time of cancellation, over the land comprised in any such certificate of title.
- (7) The lands to which this section relates are particularly described as follows:

All those areas in the South Auckland Land District being—

Firstly, all that area in the Borough of Tauranga situated in Block X, Tauranga Survey District, containing by admeasurement 1 rood 39 perches and nine-tenths of a perch, more or less, being Lots 1, 2, and 3 as shown on the plan numbered 24445, deposited in the Auckland Land Registry Office, being Allotments 3 and 4 of Section 2, Town of Tauranga, and being the whole of the land comprised and described in certificate of title, Volume 639, folio 159, Auckland Registry, subject to Memoranda of Lease Numbers 15007, 15008, and 15009.

Secondly, all that area situated as aforesaid containing by admeasurement 1 rood, more or less, being Allotment 193 of Section 2, Town of Tauranga.

Thirdly, all that area situated as aforesaid containing by admeasurement 24 perches and nine-tenths of a perch, more or less, being Lot 1 as shown on the plan numbered 26977, deposited as aforesaid, being Allotment 72 of Section 1, Town of Tauranga, and being the whole of the land comprised and described in certificate of title, Volume 687, folio 41, Auckland Registry, subject to Memorandum of Lease Number 16656.

Fourthly, all that area situated as aforesaid containing by admeasurement 1 rood and 24 perches, more or less, being Allotments 140 and 141 of Section 1, Town of Tauranga, as shown

on the plan numbered 25532, deposited as aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 661, folio 20, Auckland Registry, subject to Memorandum of Lease Number 15661.

Fifthly, all that area situated as aforesaid containing by admeasurement 1 acre 3 roods 38 perches and four-tenths of a perch, more or less, being Lots 1, 2, 3, and 4 as shown on the plan numbered 29074, deposited as aforesaid, being Allotments 702 and 703 of Section 2, Town of Tauranga, and being the whole of the land comprised and described in certificate of title, Volume 669, folio 95, Auckland Registry, subject to Memoranda of Lease Numbers 17656, 17657, 17658, and 17659.

Sixthly, all that area situated as aforesaid containing by admeasurement 1 acre 3 roods 39 perches and eight-tenths of a perch, more or less, being Lots 1, 2, 3, 4, 5, 6, 7, and 8 as shown on the plan numbered 30164, deposited as aforesaid, being Allotments 714 and 715 of Section 2, Town of Tauranga, and being the whole of the land comprised and described in certificate of title, Volume 690, folio 161, Auckland Registry, subject to Memoranda of Lease Numbers 19614, 19615, and 19616.

Seventhly, all that area situated as aforesaid containing by admeasurement 5 acres and 2 roods, more or less, being Allotment 50, Suburbs of Tauranga, as shown on the plan numbered 25594, deposited as aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 662, folio 32, Auckland Registry, subject to Memorandum of Lease Number 15751.

Eighthly, all that area in the Tauranga County situated in Block X, Tauranga Survey District, containing by admeasurement 97 acres 2 roods and 20 perches, more or less, being Lots 1, 3, and 4 as shown on the plan numbered 30217, deposited as aforesaid, being part of Allotment 114, Te Papa Parish, and being the whole of the land comprised and described in certificate of title, Volume 747, folio 284, Auckland Registry, subject to Memoranda of Lease Numbers 18470 and 18471.

Ninthly, all that area situated as aforesaid containing by admeasurement 56 acres and 15 perches, more or less, being

Lots 1 and 2 as shown on the plan numbered 25466, deposited as aforesaid, being Allotment 14, Te Papa Parish, and being the whole of the land comprised and described in certificate of title, Volume 659, folio 217, Auckland Registry, subject to Memorandum of Lease Number 15632.

- (8) *Amendment(s) incorporated in the Act(s).*
- (9) This section shall come into force on 1 March 1952.

30 Closing a riverbank road in Block XI, Ohinewairua Survey District

Whereas the land described in subsection (2) is a legal road abutting the Moawhango River:

And whereas section 147 of the Public Works Act 1928 provides that no road along the bank of a river shall be closed with or without the consent of the owners of lands in the vicinity of the road:

And whereas it is desirable that the said area of road should be closed and declared to be Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928, or in any other Act, the area of road described in subsection (2) is hereby closed and declared to be Crown land subject to the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, Rangitikei County, containing by admeasurement 1 acre 2 roods and 37 perches, more or less, adjoining Part Awarua 2C 15 Block and road to be closed shown on SO Plan 22097, situated in Block XI, Ohinewairua Survey District: as the same is more particularly delineated on the plan marked L and S 36/1610, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured green. (SO Plan 22447.)

31 Authorising the Patea Borough Council to sell certain lands

Whereas the lands described in the Schedule are vested in the Corporation of the Borough of Patea either for town purposes or for town improvement purposes:

And whereas the Patea Borough Council Empowering Act 1930 empowers the Patea Borough Council (in this section referred to as the **Council**) to lease the said lands with or without a perpetual right of renewal:

And whereas for the better development of the borough it is desirable that the Council be empowered to sell the said lands and apply the proceeds thereof in the manner hereinafter provided:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Council is hereby authorised and empowered to sell the lands described in the Schedule in the manner authorised by section 4 of the Patea Borough Council Empowering Act 1930, and Schedule 2 of that Act shall be deemed to be amended by the addition thereto of the descriptions in the Schedule of this Act, and the provisions of the Patea Borough Council Empowering Act 1930, as far as they are applicable, shall apply to the said lands and the proceeds of any sale of those lands.
- (2) The District Land Registrar for the Taranaki Land Registration District is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.

Schedule
Description of land in Patea Borough
authorised to be sold by Patea Borough
Council

Particulars of Sections	Area			Certificate of title reference (Taranaki Registry)
	<i>a</i>	<i>r</i>	<i>p</i>	
<i>Town of Patea</i>				
Section 4, Block XXXVIII	0	1	0	Part Volume 80, folio 146
Lots 1 and 2 of Section 3, Block XIX, as shown on DP 55	0	1	0	Part Volume 169, folio 7
Lots 1 and 2 of Section 4, Block XIX, as shown on DP 55	0	1	0	Part Volume 169, folio 7
Lot 1 of Section 2, Block XXXVI, as shown on DP 1117	0	0	10.8	Part Volume 1, folio 257
Lot 2 of Section 2 Block XXXVI, as shown on DP 1117	0	0	9.2	Part Volume 1, folio 257
Lot 4 of Section 2, Block XXXVI, as shown on DP 1117	0	0	18.1	Part Volume 1, folio 257
Lot 1 of Section 1, Block XL, as shown on DP 1117	0	0	15.7	Part Volume 165, folio 116
Lot 5 of Sections 2 and 3, Block XL, as shown on DP 1117	0	0	7.3	Part Volume 165, folio 116
Lot 6 of Section 3, Block XL, as shown on DP 1117	0	0	20.4	Part Volume 165, folio 116
Lots 9 and 10 of Section 4, Block XL, as shown on DP 1117	0	0	30.1	Part Volume 165, folio 116
Lot 18 of Sections 8 and 9, Block XL, as shown on DP 1337	0	0	22.4	Part Volume 132, folio 197
Section 15, Block XL, as shown on DP 1337	0	1	12	Part Volume 139, folio 101
Sections 1, 2, 3, 8, 9, 10, 11, 12, Block XXVIII	2	0	0	Volume 1, folio 243
Section 5, Block VIII	0	1	0	Part Volume 1, folio 234
Section 3, Block XV	0	0	30	Volume 1, folio 238
Lots 1 and 2 of Section 2, Block XIX, as shown on DP 55	0	1	0	Part Volume 169, folio 7

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 1951. The reprint incorporates all the amendments to the Act as at 7 December 1951, 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)*
