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Reserves and Other Lands Disposal Act 1957

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by Land Information New Zealand.

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

1 Short title

This Act may be cited as the Reserves and Other Lands Disposal Act 1957.

2 Vesting certain areas of land in the Corporation of the City of Dunedin for street purposes and as a public reserve

Whereas the land known as the Octagon, Dunedin City, being the land firstly and secondly described in subsection (5) (in this section referred to as the **said land**) is vested in Her Majesty as a reserve for a site for a public garden:

And whereas section 15 of the Dunedin Public Lands Ordinance 1854 restricted building on the said land:

And whereas portions of the said land, being more particularly firstly described in subsection (5), have long been used as a public street and it is desirable to

vest them in the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the **Corporation**) for that purpose:

And whereas the balance of the said land, being that more particularly secondly described in subsection (5), has been used for municipal purposes:

And whereas to provide for the more effective future control and management of the land secondly described it is desirable to vest it in the Corporation in trust as a reserve for a site for a public garden subject to the Reserves and Domains Act 1953 and subject also to certain other conditions:

Be it therefore enacted as follows:

- (1) The vesting in Her Majesty of the land firstly described in subsection (5) is hereby cancelled, and the reservation as a site for a public garden is hereby revoked and the land is hereby declared to be a public street subject to the Municipal Corporations Act 1954, freed and discharged from all trusts, reservations, and restrictions heretofore affecting it.
- (2) The vesting in Her Majesty of the land secondly described in subsection (5) is hereby cancelled, and the land is hereby declared to be vested in the Corporation in trust as a reserve for a site for a public garden subject to the Reserves and Domains Act 1953.
- (3) The Minister of Lands may, subject to such terms and conditions as he thinks fit, permit the undersurface of the said land so secondly described to be used for the construction of civic amenities but no such amenities shall disturb the surface of the said land or encroach thereon for entries or exits.
- (4) The District Land Registrar for the Land Registration District of Otago 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 such certificate or certificates of title for the land declared to be vested in the Corporation and to do all such other things as may be necessary to give effect to the provisions of this section.
- (5) The land to which this section relates is particularly described as follows:

Firstly, all that area in the Otago Land District, City of Dunedin, being parts of Reserve Number 2, Town of Dunedin, containing 1 rood 25 perches and seventy-five one-hundredths of a perch, more or less: as shown on the plan marked L and S 6/1/1044, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue (SO Plan 12279).

Secondly, all that area in the Otago Land District, City of Dunedin, being Lots 1 and 2 of Reserve Number 2, Town of Dunedin, containing 2 roods and 26 perches, more or less: as shown on the plan marked L and S 6/1/1044, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 12279).

Section 2(2) proviso: repealed, on 23 September 2015, by section 11 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

3 Vesting certain land in the Mayor, Councillors, and Citizens of the City of Auckland in trust for water supply purposes

Whereas the land described in subsection (3) is vested in the Auckland Centennial Memorial Park Board (in this section referred to as the **Board**) upon trust for the purposes of a Scenic Park under the Auckland Centennial Memorial Park Act 1941:

And whereas it was originally intended that the said land be added to the adjoining Auckland City water supply reserve but this was not done:

And whereas the Board has no power of sale and it is desirable and expedient that the said land be vested in the Mayor, Councillors, and Citizens of the City of Auckland in trust for water supply purposes subject to the Municipal Corporations Act 1954:

Be it therefore enacted as follows:

- (1) The vesting in the Board of the land described in subsection (3) is hereby cancelled and the said land is hereby declared to be vested in the Mayor, Councillors, and Citizens of the City of Auckland in trust for water supply purposes subject to the Municipal Corporations Act 1954 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Auckland 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.
- (3) The land to which this section relates is particularly described as follows:

All those areas in the North Auckland Land District being—

Firstly, Allotment 260, Parish of Waikomiti, Block V, Titirangi Survey District, containing 4 acres and 14 perches, more or less, and being all the land comprised and described in certificate of title, Volume 870, folio 130, Auckland Registry (SO Plan 33655).

Secondly, Allotments 471 and 472, Parish of Waikomiti, Block V, Titirangi Survey District, containing 36 acres 3 roods 11 perches and six-tenths of a perch, more or less, and being all the land comprised and described in certificate of title, Volume 833, folio 70, Auckland Registry (SO Plan 33151).

Thirdly, Allotment WM 11, Parish of Karangahape, Block IX, Titirangi Survey District, containing 42 acres and 2 roods, more or less, and being part of the land comprised and described in certificate of title, Volume 833, folio 69, Auckland Registry (SO Plan 33157).

4 Declaring certain land to be vested in Her Majesty and validating a lease thereover

Whereas by conveyance numbered 86795 dated 18 April 1884 the land described in subsection (7) (in this section referred to as the **said land**) was conveyed to one James Thornton, storekeeper, of Newmarket, Auckland:

And whereas the said James Thornton died intestate in Charters Towers in the year 1903:

And whereas neither his beneficiaries nor his personal representatives have ever occupied the said land nor in recent years exercised any rights of ownership in respect thereof:

And whereas on the assumption that the said land was unalienated Crown land a renewable lease was granted thereover on 16 July 1946, for a term of 66 years from 1 January 1947, under the Land Act 1924:

And whereas the said land has been occupied and farmed under this lease:

And whereas the known beneficiaries in the estate of the said James Thornton, deceased, who are entitled to an eight-ninths interest in the said land have agreed to sell their interest therein to the Crown:

And whereas the person or persons entitled to the remaining one-ninth interest in the said land are not known and cannot be found:

And whereas it is desirable and expedient that the said land be vested in the Crown and the said renewable lease granted in respect thereof be validated:

Be it therefore enacted as follows:

- (1) Subject to the provisions of subsection (3), the said land is hereby declared to be and to have been vested in Her Majesty as Crown land as from 16 July 1946, freed and discharged from all trusts, reservations, and restrictions theretofore affecting the same.
- (2) The renewable lease numbered 2465 granted to Thomas Henry Watts, of Waikiekie, farmer, under the Land Act 1924 for a term of 66 years from 1 January 1947, over the said land is hereby declared to be valid and to have full force and effect according to its tenor.
- (3) The Minister of Lands shall pay to the known beneficiaries in the estate of James Thornton, deceased, in respect of their eight-ninths interest in the said land a sum not exceeding 184 pounds and the said sum shall be paid in the proportion to which each of the said known beneficiaries shares in the said estate.
- (4) The Minister of Lands shall, upon production to him of satisfactory proof as to entitlement to the balance of one-ninth interest in the said land, pay to such persons, being beneficiaries in the estate of James Thornton, deceased, for the said interest a sum not exceeding 23 pounds:

provided that no claim for any such interest may be made at any time after the expiration of 6 years from the commencement of this section.

- (5) Any payments made under subsections (3) and (4) shall be paid out of the Land Settlement Account from money appropriated for the acquisition of land and interests therein.
- (6) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to cancel without fee the certificate of title for the said land and to do all such other things as may be necessary to give effect to the provisions of this section.
- (7) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, being the north-western portion of Allotment 61, Parish of Mareretu, situated in Block IV, Matakohe Survey District, and Block XVI, Tangihua Survey District, containing 40 acres, more or less, being all the land in certificate of title, Volume 779, folio 139, Auckland Registry (limited as to parcels and title).

5 Declaring certain land at Riverton to be Crown land subject to the Land Act 1948

Whereas the land described in subsection (3) is portion of the pilot station and lighthouse reserve vested in the Riverton Harbour Board in trust without power of sale as a harbour endowment:

And whereas the said land is no longer required as a harbour endowment and it is desirable that it should be vested in Her Majesty so that it can be made available for disposal under the Land Act 1948:

Be it therefore enacted as follows:

- (1) The vesting of the land described in subsection (3) in the Riverton Harbour Board is hereby cancelled and the land is hereby declared to be Crown land subject to the Land Act 1948 freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Southland 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.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Southland Land District, being part of Section 30, Block II, Jacobs River Hundred, containing 6 acres 3 roods and 35 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 115, folio 228, Southland Registry: as shown on the plan marked L and S 30/228/81, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

6 Authorising the transfer of certain land to the Te Pahu Hall Society (Inc.)

Whereas the land described in subsection (3) is vested in the Chairman, Councillors, and Inhabitants of the County of Raglan (in this section referred to as the **Corporation**) under the provisions of the Counties Act 1956:

And whereas the said land was formerly held on behalf of the Te Pahu Hall Society by various persons:

And whereas the said land and the buildings and other amenities thereon have for many years been used by the Te Pahu Hall Society for the benefit of the residents in the locality:

And whereas a society named the Te Pahu Hall Society Incorporated (in this section referred to as the **Society**) has been incorporated under the Incorporated Societies Act 1908 for the purpose, among others, of acquiring and holding the said land for the benefit of the aforesaid residents:

And whereas the Corporation desires to transfer the said land to the Society:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Counties Act 1956 or in any other Act, the Corporation may transfer to the Society without consideration the land described in subsection (3) freed from any trusts, reservations, or restrictions theretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed 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 land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District shown on Deposited Plan Number 6809, being part of Allotment 121, Parish of Pirongia, situated in Block XI, Alexandra Survey District, containing 2 roods 28 perches, more or less, and being all the land comprised and described in certificate of title, Volume 176, folio 279, Auckland Registry.

7 Cancelling the vesting of certain endowment land in the Inglewood Borough Council and declaring that land to be a scenic reserve subject to the Reserves and Domains Act 1953

Whereas the land described in subsection (3) is vested in the Mayor, Councillors, and Citizens of the Borough of Inglewood (in this section referred to as the **Corporation**) for an estate in fee simple, as an endowment, in trust for town improvements:

And whereas the said land which is bush covered was originally purchased by the Corporation in order to preserve the bush:

And whereas, for proper administration and control, the Corporation desires the land to be declared a scenic reserve subject to the Reserves and Domains Act 1953:

And whereas it is desirable and expedient that effect be given to the Corporation's wishes:

Be it therefore enacted as follows:

- (1) The vesting in the Corporation of the land described in subsection (3) is hereby cancelled and the said land is hereby declared to be vested in Her Majesty as a scenic reserve under and subject to the Reserves and Domains Act 1953, freed and discharged from all other trusts, reservations, and restrictions heretofore affecting the land.
- (2) The District Land Registrar for the Land Registration District of Taranaki 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.
- (3) The land to which this section relates is particularly described as follows:
All that area in the Taranaki Land District, being Lot 1 on Deposited Plan numbered 5674, being part of Section 1, Moa District, situated in Block IV, Egmont Survey District, containing 3 acres and 7 perches, more or less, and being all the land comprised and described in certificate of title, Volume 143, folio 107, Taranaki Registry.

8 Validating a payment from money held under the Land Subdivision in Counties Act 1946

Whereas the land described in subsection (2) was held under a perpetually renewable lease issued pursuant to the West Coast Settlement Reserves Act 1892:

And whereas the Crown recently purchased the leasehold interest in the said land for recreation purposes:

And whereas the Taranaki County Council agreed to the purchase price for the leasehold interest of 1,500 pounds being made available from money received under the Land Subdivision in Counties Act 1946 and payment from this source has been effected:

And whereas section 14 of that Act provides that any money received thereunder may be paid out for the purchase of land to be held as public reserves but there is no authority therein for any such money to be used for the purchase of a leasehold interest:

And whereas it is desirable to validate the said payment of 1,500 pounds:

Be it therefore enacted as follows:

- (1) The payment by the Crown of 1,500 pounds for the leasehold interest in the land described in subsection (2) from money held under the Land Subdivision

in Counties Act 1946 is hereby validated and declared to have been lawfully made.

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

All that area in the Taranaki Land District, being part of Section 12, Oakura Town Belt, situated in Block II, Wairau Survey District, containing 11 acres 3 roods 28 perches and five-tenths of a perch, more or less, and being part of the land comprised and described in lease registered in Volume 135, folio 147, Taranaki Registry.

9 Cancelling the reservation over certain endowment land and declaring it to be a scenic reserve subject to the Reserves and Domains Act 1953

Whereas the land described in subsection (2) was, by notice in the *Gazette* of 2 May 1901, at page 988, reserved as a municipal endowment:

And whereas the said land is bush covered and has definite scenic qualities:

And whereas it is not suitable for the purpose for which it was reserved and it is desirable that the said land be constituted a reserve for scenic purposes subject to the Reserves and Domains Act 1953:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for municipal purposes over the land described in subsection (2) is hereby cancelled and the said land is hereby declared to be a scenic reserve under and subject to the Reserves and Domains Act 1953, freed and discharged from all other trusts, reservations, and restrictions heretofore affecting the same.
- (2) The land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District, being Section 1 of Block XII and Section 1 of Block XIII, Village of Mamaku, situated in Block XIV, Rotorua Survey District, containing 2 acres and 24 perches, more or less: as shown on the plan marked L and S 4/78, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 11240¹).

10 Validating the sale of certain land, together with the grant of right of way appurtenant thereto, by the Hawera Borough Council

Whereas the land firstly and secondly described in subsection (3) is vested in the Mayor, Councillors, and Citizens of the Borough of Hawera (in this section referred to as the **Corporation**) for an estate in fee simple as a town endowment under the Hawera Borough Endowment Act 1889:

And whereas the land thirdly and fourthly described in the said subsection form part of the land vested in the Corporation as a site for a public library subject to the provisions of the Reserves and Domains Act 1953, the vesting being made pursuant to the Land Act 1877:

And whereas part of the Hawera Opera House is erected on the land firstly and thirdly described in the said subsection (3) and that land has for many years been leased by the Corporation to the Hawera Theatre Company Limited:

And whereas the Corporation has sold this land to the said company together with a grant of right of way appurtenant thereto over the land secondly and fourthly described in the said subsection (3):

And whereas the Hawera Library is erected on the balance of the library site hereinbefore referred to:

And whereas the Corporation has no power of sale in respect of the land firstly and thirdly described, and it is desirable and expedient to validate the said sale, together with the grant of right of way appurtenant thereto, over the land secondly and fourthly described:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the sale by the Corporation of the land firstly and thirdly described in subsection (3), together with the grant of right of way appurtenant thereto over the land secondly and fourthly described in the said subsection (3), are hereby validated and declared to have been lawfully made and to be binding in all respects on the parties thereto and the said sale and grant of right of way shall have full force and effect according to their tenor and the said land firstly, secondly, thirdly, and fourthly described are hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorised and directed to accept such documents for registration, 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 land to which this section relates is particularly described as follows:

All those areas in the Taranaki Land District, Borough of Hawera, being—

Firstly, Lot 2 on Deposited Plan numbered 3280, being part of Section 19, Town of Hawera, containing 13 perches and ninety-five one-hundredths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 22, folio 6, Taranaki Registry:

Secondly, Lot 2 on Deposited Plan numbered 4349, being part of Section 19, Town of Hawera, containing 2 perches and ninety-nine one-hundredths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 22, folio 6, Taranaki Registry:

Thirdly, Lot 1 on Deposited Plan numbered 6829, being part of Section 19, Town of Hawera, containing 4 perches and fifty-seven one-hundredths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 20, folio 164, Taranaki Registry:

Fourthly, Lot 2 on Deposited Plan numbered 6829, being part of Section 19, Town of Hawera, containing 1 perch and sixty-one one-hundredths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 20, folio 164, Taranaki Registry:

As the same are more particularly shown on the plan marked L and S 6/1/117, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

11 Renouncing a bequest of certain land and declaring certain land to be a wildlife refuge

Whereas the will of Constance Louisa Hamilton Fenwick, of Maraeweka, spinster, deceased (in this section referred to as the **testatrix**), devised a wild duck lake sanctuary situated on the Maraeweka Estate property, together with 50 acres of land surrounding it and a right of way thereto, to the Government of New Zealand in trust as a game and nature fauna sanctuary and scenic reserve for the benefit of the people of New Zealand:

And whereas the testatrix in a codicil to the said will bequeathed the sum of 50 pounds a year for the upkeep of fences on the wild duck sanctuary and land adjoining and on the property:

And whereas the said land is not suitable for scenic purposes and certain legal and practical difficulties would be involved in giving effect to the said gifts:

And whereas it is agreed between the Crown and other beneficiaries that the Crown need not take title to the said land in order to achieve the object of the testatrix:

And whereas it has also been likewise agreed that it would be generally in keeping with the wishes of the testatrix for the Crown to renounce the gifts but to make provision for the constitution of the wild duck lake sanctuary as described in subsection (5) as a wildlife refuge in perpetuity for the purposes of the Wildlife Act 1953 and subject also to certain other conditions as hereinafter provided:

And whereas it is desirable and expedient to give effect to these matters:

Be it therefore enacted as follows:

- (1) It is hereby declared that the devise of the testatrix of the wild duck lake sanctuary, situated behind Maraeweka House on the Maraeweka Estate, and approved 50 acres of land surrounding it together with a right of way thereto, in trust as a game and nature fauna sanctuary and scenic reserve for the benefit of the people of New Zealand shall be deemed to be renounced and that the additional bequest of 50 pounds a year for the upkeep of fences on the wild duck sanctuary and land adjoining and on the property shall also be deemed to be renounced.
- (2) The land described in subsection (5) is hereby declared to be a wildlife refuge in perpetuity for the purposes of the Wildlife Act 1953.

- (3) Notwithstanding anything to the contrary in the Wildlife Act 1953, the following provisions shall apply in respect of the said wildlife refuge:
- (a) a right of access at all reasonable times is hereby reserved thereto for the purposes of the Wildlife Act 1953 to the employees of the Department of Internal Affairs and the employees of the Waitaki Acclimatisation Society:
provided that before any entry is made on the land by any such persons they shall, when practicable, give reasonable notice to the occupier of the land of intention to enter thereon:
 - (b) the water level of the lake comprised in the said wildlife refuge shall not be artificially manipulated in any way without the prior consent of the Waitaki Acclimatisation Society:
 - (c) trees, shrubs, and other vegetation within the boundaries of the said wildlife refuge shall not be cleared, burned, felled, or destroyed in any way without the prior consent of the Secretary for Internal Affairs:
 - (d) the existing fences along portion of the circumference of the lake comprised in the said wildlife refuge shall be maintained at all times at the expense of the occupier in good order and condition and no further fencing or alterations to the existing fences about the circumference of the said lake shall be undertaken without the prior consent of the Secretary for Internal Affairs:
 - (e) any consent required to be given by any person or body under the provisions of this section shall not be arbitrarily or unreasonably withheld.
- (4) The District Land Registrar for the Land Registration District of Otago 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 land declared a wildlife refuge under this section is particularly described as follows:
- All that area in the Otago Land District containing 56 acres, more or less, subject to survey, being parts of Sections 39 and 40, Block I, Kauru Survey District, bounded by a line 10 chains distant from the edge of the pond situated in the aforesaid Section 39, and intersected by an unformed road, and being parts of the land comprised and described in certificate of title, Volume 269, folio 170, Otago Registry, limited as to parcels: as shown on the plan marked L and S 21/8, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 12485).

12 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 under the Forests Act 1949:

And whereas 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 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 South Auckland Land District being part of the land set apart as permanent State forest by Proclamation dated 15 February 1927, and published in the *Gazette* of the 17th day of that month at page 460, and being also the land now known as Section 8, Block V, Galatea Survey District, containing 28 acres and 1 rood, more or less: as shown on the plan marked L and S 7/652, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 24594³).

Secondly, all that area in the South Auckland Land District being part of Section 1, Block XV, Puketapu Survey District, containing 62 acres and 3 roods, more or less: as shown on the plan marked L and S 36/2442, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38528).

Thirdly, all that area in the South Auckland Land District being Section 2, Block XV, Karioi Survey District, containing 743 acres, more or less, and being all the land comprised and described in certificate of title, Volume 946, folio 285, Auckland Registry: as shown on the plan marked L and S 21/239, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 17975).

Fourthly, all that area in the South Auckland Land District being part Waikawau Block, situated in Block VII, Hastings Survey District, containing 360 acres, more or less: as shown on the plan marked L and S 27/86, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38530).

Fifthly, all that area in the Taranaki Land District situated in the Borough of Inglewood, being part of Lots 95 and 96 on Deposited Plan numbered 1786, being part of Section 105, Moa District, situated in Block IV, Egmont Survey District, containing 1 rood and 24 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 60, folio 59, Taranaki Registry: as shown on the plan marked L and S 10/94/22, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 8834).

Sixthly, all that area in the Westland Land District being part of Reserve 1707, situated in Block XI, Mawheranui Survey District, containing 23 acres 3 roods and 9 perches, more or less, and being all of the land set apart as permanent State forest by Proclamation dated 21 August 1940, and published in the *Gazette* of the 29th day of that month at page 2236: as shown on the plan marked L and S 10/98/35B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Seventhly, all that area in the Westland Land District being part of Reserve 1694, situated in Block XV, Mawheraiti Survey District, containing 88 acres, more or less, and being part of the land set apart as permanent State forest by Proclamation dated 15 October 1949, and published in the *Gazette* of the 20th day of that month at page 2465, and bounded on the west by the Waipuna River; on the south by Crown land, Block III, Ahaura Survey District; on the south-east by Sections 170 and 169, Square 122, and Rural Section 3937; on the north-east by Rural Sections 3372 and 3919; and on the north by another part of Reserve 1694: as shown on the plan marked L and S 10/98/40A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Eighthly, all that area in the Westland Land District being part of Reserve 1683, situated in Block VI, Karangarua Survey District, containing 12 acres 3 roods and 15 perches, more or less, and being part of the land set apart as permanent State forest by Proclamation dated 19 December 1932, and published in the *Gazette* of 12 January 1933, at page 11: as shown on the plan marked L and S 6/1/971B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

13 Vesting certain land in Her Majesty as the W Douglas Lysnar Domain

Whereas the land described in subsection (4) is vested in the Corporation of the City of Gisborne (in this section referred to as the **Corporation**) in trust for the purpose of a recreation reserve:

And whereas the said land was acquired by the Corporation by gift from the late William Douglas Lysnar pursuant to a deed of trust (in this section referred to as the **deed**) dated 5 December 1921:

And whereas the deed imposes certain restrictions and confers certain powers as to the management of the said land by the Corporation:

And whereas the deed provides that its presents shall not be varied or modified without the express consent in writing of certain persons named therein, the survivor of whom is Winifred Frances Lysnar, daughter of the said William Douglas Lysnar:

And whereas it is desirable that the said land be vested in Her Majesty the Queen as a public domain subject to Part 3 of the Reserves and Domains Act 1953, but subject to certain restrictions on the leasing thereof, freed and discharged from the provisions of the deed:

And whereas the said Winifred Frances Lysnar and the Corporation have consented and agreed to the said land being so vested:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby declared to be vested in Her Majesty the Queen as a public domain to be known as the W Douglas Lysnar Domain subject to the provisions of Part 3 of the Reserves and Domains Act 1953 except as hereinafter provided but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.
- (2) Notwithstanding anything to the contrary in the Reserves and Domains Act 1953, the land described in subsection (4) may be leased under that Act only for the purpose of recreational development or for the provision of amenities for the enjoyment, use, or safety of the public but not otherwise.
- (3) The District Land Registrar for the Land Registration District of Gisborne is hereby authorised and directed to make such entries in the register book 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 Gisborne Land District, being Lot 1, Deposited Plan 2702, and being Part of Lot 5 of Section 7 of Pouawa Number 1 Block, situated in Block VIII, Turanganui Survey District, containing 22 acres, more or less, and being all the land comprised and described in certificate of title, Volume 64, folio 190, Gisborne Registry.

14 Vesting certain land in the Corporation of the Borough of Bluff subject to the Municipal Corporations Act 1954

Whereas the land described in subsection (4) is vested in the Mayor, Councillors, and Citizens of the Borough of Bluff (in this section referred to as the **Corporation**) for an estate in fee simple as an endowment in aid of borough funds:

And whereas, as a result of the Bluff Harbour Extension Scheme, new development works are required within the borough:

And whereas the said land is not required for endowment purposes and the Corporation wishes to dispose of the land for housing purposes and to apply the proceeds from sale to the cost of the said development works:

And whereas it is desirable and expedient that the said land should be sold and for that purpose it should be vested in the Corporation without trust but subject to the Municipal Corporations Act 1954 and subject also to the proceeds from the sale thereof being applied 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 vesting in the Corporation as an endowment in aid of borough funds of the land de-

scribed in subsection (4) is hereby cancelled and the land is hereby declared to be vested in the Corporation for an estate in fee simple subject to the provisions of the Municipal Corporations Act 1954 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said land.

- (2) The net proceeds from the sale of the land described in subsection (4) shall be paid into a separate bank account in the name of the Corporation and shall be applied in or towards the cost of purchasing lands for public purposes or the erection or construction of buildings, improvements, or amenities of any kind, including the maintenance of land controlled by the Corporation or vested in the Corporation as a public reserve or otherwise.
- (3) The District Land Registrar for the Land Registration District of Southland 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 land to which this section relates is particularly described as follows:

All that area in the Southland Land District, Borough of Bluff, being part of Section 1, Block XXIV, Town of Campbelltown, situated in Block I, Campbelltown Hundred, containing 5 acres 1 rood and 32 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 168, folio 117, Southland Registry: as shown on the plan marked L and S 13/108/57, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

15 Vesting certain land in the Corporation of the Town District of Kihikihi subject to the Municipal Corporations Act 1954

Whereas the land described in subsection (4) is vested in the Chairman, Councillors, and Citizens of the Town District of Kihikihi (in this section referred to as the **Corporation**) as an endowment in aid of the funds of the Corporation pursuant to the Plans of Towns Regulation Act 1875:

And whereas the Corporation has adequate endowment land in the township and the said land is not required for endowment purposes:

And whereas there is an urgent need for housing sections in the township and the Corporation wishes to dispose of the said land for those purposes:

And whereas it is desirable and expedient that the land should be sold and that it should be vested in the Corporation without trust but subject to the Municipal Corporations Act 1954 and subject also to the proceeds from the sale thereof being applied 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 vesting in the Corporation as an endowment in aid of Corporation funds of the land described in subsection (4) is hereby cancelled and the land is hereby declared to be vested in the Corporation for an estate in fee simple subject to the provisions

of the Municipal Corporations Act 1954 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said land.

- (2) The net proceeds from the sale of the land described in subsection (4) shall be held by the Corporation and paid into a separate account and shall be applied in or towards the cost of purchasing lands for public purposes or the erection or construction of buildings, improvements, or amenities of any kind including maintenance on land controlled by the Corporation or vested in the Corporation as a public reserve or otherwise.
- (3) The District Land Registrar for the Land Registration District of Auckland 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 land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District, being Allotments 289, 290, 296, 302, and 303, Town of Kihikihi, situated in Block VII, Puniu Survey District, containing 5 acres, more or less, and being part of the land comprised and described in certificate of title, Volume 42, folio 100, Auckland Registry: as shown on the plan marked L and S 6/1/580F, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 324).

16 Validating an agreement between the Lower Hutt City Council and the Hutt Park Committee

Whereas section 28 of the Reserves and Other Lands Disposal Act 1952 validated a certain deed made between the Hutt Park Committee, a body corporate constituted by the Hutt Park Act 1907 (in this section referred to as the **Committee**), and the Mayor, Councillors, and Citizens of the City of Lower Hutt acting by and through the Lower Hutt City Council (in this section referred to as the **Council**), a copy of which is deposited in the Head Office of the Department of Lands and Survey, at Wellington, as Wellington Deed Number 1677:

And whereas the said deed is incapable of full performance as certain lands included therein are not owned by the Committee and also as certain parts of the lands referred to in the First Schedule to the said deed have subsequently become vested in the Council by Proclamation dated 6 December 1955, and published in the *Gazette* of the 8th day of that month at page 1876:

And whereas it has been agreed by the Committee and the Council that a fresh deed to replace the said Wellington Deed Number 1677 is desirable to give full effect to the wishes of the parties and therefore the said parties have executed a further deed dated 20 May 1957, to this intent:

And whereas a copy of this deed is deposited in the Head Office of the Department of Lands and Survey, at Wellington, as Wellington Deed Number 1714:

And whereas it is expedient that this deed be authorised and validated:

Be it therefore enacted as follows:

- (1) The said Wellington Deed Number 1677 is hereby declared to be inoperative and of no effect.
- (2) Notwithstanding anything to the contrary in any Act or in any rule of law, the said Wellington Deed Number 1714 is hereby declared to be and to have always been deemed to be valid and binding in all respects and of full force and effect according to its tenor and the Council and the Committee shall be deemed to have and to have had all powers and authorities necessary to enter into and execute the said deed 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 thereto:
provided that nothing in this section shall be construed by implication or otherwise to close or stop or otherwise deal with the portion of Hutt Park Road described in the said deed or to confer on the Council any power to effect such stopping or closing or other dealing in addition to the powers conferred upon it by Schedule 6 of the Municipal Corporations Act 1954 or by the Public Works Act 1928.
- (3) The District Land Registrar for the Land Registration District of Wellington is hereby authorised and directed to deposit such plans, 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 and to the provisions of the said Wellington Deed Number 1714.

17 **Amending section 10 of the Reserves and Other Lands Disposal Act 1954**

[Repealed]

Section 17: repealed, on 20 October 1972, by section 5(2)(a) of the Reserves and Other Lands Disposal Act 1972 (1972 No 124).

18 **Special provisions relating to portions of the Pukeroa Domain, Rotorua**

Whereas the land known as the Pukeroa Domain (in this section referred to as the **Domain**) at Rotorua was given to the Crown many years ago by the Maoris and is a public domain set apart for the use and enjoyment of the inhabitants of Rotorua:

And whereas section 23 of the Reserves and Other Lands Disposal Act 1940 authorised the leasing in perpetuity of portion of the Domain to the Waikato Hospital Board (in this section referred to as the **Board**):

And whereas in pursuance of this authority a lease was issued to the Board over an area of 28 acres 2 roods 30 perches of the Domain, now the site of the King George V Memorial Hospital, for a term of 999 years from 1 January 1941, at a peppercorn rental and subject to certain terms and conditions:

And whereas certain other small areas have since been excluded from the Domain for various purposes:

And whereas the land firstly described in subsection (4) is part of the balance area in the Domain, the control of which is vested in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908:

And whereas this land is no longer required for any purpose connected with the administration of that Act:

And whereas it is desirable for better administration and management of the said land to incorporate it in the Board's existing lease over portion of the Domain:

And whereas the Ngati Whakaue Tribe, the Maori donors of the Domain, desires to obtain a lease of the land secondly described in subsection (4), being portion of the land at present held on lease by the Board as a site for an administration building:

And whereas the Board has agreed to the said land secondly described being excluded from its lease for this purpose:

And whereas it is desirable to make provision accordingly:

Be it therefore enacted as follows:

- (1) The vesting of control of the land firstly described in subsection (4) in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908 is hereby cancelled and the said land is hereby declared to form part of the land leased by the Board under Auckland Lease Number 539 dated 3 September 1941, issued pursuant to section 23 of the Reserves and Other Lands Disposal Act 1940, and Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and registered in certificate of title, Volume 749, folio 68, Auckland Registry.
- (2) *[Repealed]*
- (3) The District Land Registrar for the Land Registration District of Auckland 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 land to which this section relates is particularly described as follows:
Firstly, all that area in the South Auckland Land District, being part of the Pukeroa Domain and now known as Section 14, Block LVIII, Town of Rotorua, situated in Block I, Tarawera Survey District, containing 5 acres 2 roods and 15 perches, more or less: as shown on the plan marked L and S 6/8/6, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38618).

Section 18(2): repealed, on 12 March 1993, by section 3(4) of the Reserves and Other Lands Disposal Act 1993 (1993 No 1).

Section 18(4): amended, on 12 March 1993, by section 3(4) of the Reserves and Other Lands Disposal Act 1993 (1993 No 1).

19 Declaring certain land at Addington to be vested in the Canterbury Agricultural and Pastoral Association

Whereas pursuant to an agreement dated 9 June 1885, John Twigger, of Christchurch, gentleman, gave to the Canterbury Agricultural and Pastoral Association (in this section referred to as the **Association**) the land described in subsection (4) together with a 1 chain road running through the said land and for which an easement was subsequently created by transfer Number 75005:

And whereas the said land was given subject to the land being held in the name of the District Land Registrar for the Land Registration District of Canterbury and up to 5 persons appointed by the Association as trustees for the said Association and subject also to a condition that in the event of the land being alienated, the land would revert to the said John Twigger and his heirs:

And whereas the said land was transferred to trustees who signed a declaration of trust which provided that, upon the Association ceasing to exist, the land would revert to the Crown for use in promoting the public interests of agricultural and pastoral pursuits in the provincial district of Canterbury:

And whereas the said John Twigger died in November 1885, and by an Order of the Supreme Court the residue of the estate of the said John Twigger, which included any reversionary interest in the said land, was vested in the Ashburton and North Canterbury Hospital Board, now the North Canterbury Hospital Board:

And whereas the said Board makes no claim to the said land and relinquishes any possible interest it may have therein:

And whereas the said District Land Registrar is by virtue of his office a permanent and continuing trustee:

And whereas all other trustees are deceased and no further appointments have been made:

And whereas, to enable the Association to improve its showground and if necessary raise money on mortgage of the said land, the Association wishes to have the said land vested in it for an estate in fee simple subject to the Agricultural and Pastoral Societies Act 1908 and to have the easement created by the said transfer Number 75005 in favour of the land in certificate of title, Volume 114, folio 102, Canterbury Registry, merge in the fee simple title of that land:

And whereas it is desirable and expedient that effect be given to the Association's wishes:

Be it therefore enacted as follows:

- (1) Subject to the provisions of subsection (2), the land described in subsection (4) is hereby declared to be vested in the Association subject to the Agricultural and Pastoral Societies Act 1908 freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same.

- (2) The easement created by transfer Number 75005 in favour of the land comprised in certificate of title, Volume 114, folio 102, Canterbury Registry, is hereby merged in the fee simple estate of the land.
- (3) The District Land Registrar for 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.
- (4) The land to which this section relates is particularly described as follows:
All that area in the Canterbury Land District, City of Christchurch, being part of Rural Section 128, situated in Block XV, Christchurch Survey District, containing 5 acres 3 roods and 20 perches, more or less, and being all the land comprised and described in certificate of title, Volume 114, folio 103, Canterbury Registry, subject to the easement in favour of the land in certificate of title, Volume 114, folio 102, Canterbury Registry, created by transfer Number 75005.

20 Authorising the disposal of certain lands fronting Fraser Street, Tauranga

Whereas the lands firstly, secondly, and thirdly described in subsection (4), being portions of the foreshore of the Tauranga Harbour, are vested in the Tauranga Harbour Board (in this section referred to as the **Board**) pursuant to the Tauranga Foreshore Vesting and Endowment Act 1915:

And whereas the said lands, which adjoin the property of Lionel Roberts Wilkinson, of Tauranga, settler, became severed from the sea as a result of certain new street formation:

And whereas, to compensate the said Lionel Roberts Wilkinson for the deprivation of riparian rights resulting from this street formation, the Corporation of the Borough of Tauranga (in this section referred to as the **Corporation**) with the concurrence of the Board, agreed to facilitate the transfer to the said Lionel Roberts Wilkinson of the lands firstly and secondly described in the said subsection (4):

And whereas the balance of the lands severed from the sea by the aforesaid street formation, being the land thirdly described in the said subsection (4), is no longer required by the Board, which has agreed to its being disposed of to the Corporation:

And whereas the land fourthly described in the said subsection (4) is land reserved from sale or other disposition in terms of section 129 of the Land Act 1924 and adjoins the other parcels of land hereinbefore referred to:

And whereas the reservation from sale or other disposition in terms of the said section 129 over this land is now no longer necessary following on the new street formation:

And whereas, to give effect to the arrangements entered into with the said Lionel Roberts Wilkinson, it is desirable and expedient that authority be given to

the lands firstly and secondly described being disposed of to him, that authority be also given to the Board to dispose of the land thirdly described to the Corporation, and that the land fourthly described be declared Crown land available for disposal under the Land Act 1948:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Tauranga Foreshore Vesting and Endowment Act 1915, or in any other Act or rule of law, the Board,—
 - (a) at the direction of the Corporation is hereby authorised to dispose of the lands firstly and secondly described in subsection (4) to Lionel Roberts Wilkinson, of Tauranga, settler, for an estate in fee simple, freed and discharged from all trusts, reservations, and restrictions theretofore affecting the said lands:
 - (b) may transfer to the Corporation, with or without valuable consideration, the land thirdly described in subsection (4) to be held by the Corporation subject to the Municipal Corporations Act 1954, and, on the transfer of that land, it shall be discharged from all trusts, reservations, and restrictions theretofore affecting the said land.
- (2) The land fourthly described in subsection (4) is hereby declared to be Crown land available for disposal in terms of the Land Act 1948 freed and discharged from all trusts, reservations, and restrictions theretofore affecting the said land.
- (3) The District Land Registrar for the Land Registration District of Auckland 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 land to which this section relates is particularly described as follows:

All those areas in the South Auckland Land District being—

Firstly, all that area in the Tauranga County, being Section 2, Block XIV, Tauranga Survey District, containing 1 acre and 20 perches, more or less:

Secondly, all that area in the Tauranga County, being Section 3, Block XIV, Tauranga Survey District, containing 1 rood and 38 perches, more or less:

Thirdly, all that area in the Tauranga County, being Section 4, Block XIV, Tauranga Survey District, containing 2 acres 2 roods and 2 perches, more or less:

Fourthly, all that area in the Tauranga Borough, being Section 5, Block XIV, Tauranga Survey District, containing 2 roods and 28 perches, more or less:

As the same are shown on the plan marked L and S 9/2507, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38892).

Reprints notes

1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1957 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Reserves and Other Lands Disposal Act 2015 (2015 No 84): section 11

Reserves and Other Lands Disposal Act 1993 (1993 No 1): section 3(4)

Reserves and Other Lands Disposal Act 1972 (1972 No 124): section 5(2)(a)