

**Reprint  
as at 20 October 1972**



**Reserves and Other Lands Disposal  
Act 1959**

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**Note**

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

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

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

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

**1 Short Title**

This Act may be cited as the Reserves and Other Lands Disposal Act 1959.

**2 Authorising the transfer of certain land to the Prebbleton Public Hall Society Incorporated**

Whereas the land described in subsection (3) is vested in the Prebbleton Public Library, a body corporate under the Libraries and Mechanics' Institutes Act 1908:

And whereas the Prebbleton Public Library ceased to function in the year 1945:

And whereas there is erected on the land a public hall the cost of which was paid from money subscribed by residents of the district:

And whereas a society named the Prebbleton Public Hall Society Incorporated 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 local residents:

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

And whereas the books of the Prebbleton Public Library have been sold and there is now no demand in the district for a public library:

And whereas it is desirable that the said land should be vested in the Society, and that provision should be made in that behalf:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Libraries and Mechanics' Institutes Act 1908 or in any other Act or rule of law the land described in subsection (3) is hereby declared to be no longer vested in the Prebbleton Public Library and is hereby vested in the Prebbleton Public Hall Society Incorporated.
- (2) The District Land Registrar for the Land Registration District of Canterbury 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:

Firstly, all that area in the Canterbury Land District, Paparua County, being part Lot 1, DP 4394, and being part Rural Section 1742, situated in Block XIII, Christchurch Survey District, containing 25 perches and five-tenths of a perch, more or less, and being all the land comprised and described in certificate of title, Volume 435, folio 80, Canterbury Registry.

Secondly, all that area in the Canterbury Land District, Paparua County, being part Rural Section 1742, situated in Block XIII, Christchurch Survey District, containing 1 rood, more or less, and being all the land comprised and described in certificate of title, Volume 394, folio 286 (limited as to parcels and title), Canterbury Registry.

**3 Cancellling the vesting of certain endowment land in the Taranaki Harbour Board and declaring that land to be vested in Her Majesty as an addition to the Corbett Park Domain**

Whereas the land described in subsection (3) was together with other land by a deed authorised by the New Plymouth Harbour Board Ordinance 1875 (Province of Taranaki) conveyed to and vested in the New Plymouth (now Taranaki) Harbour Board upon trust for the construction and maintenance of a harbour or breakwater or of any other works for the accommodation of vessels, or for facilitating the landing and shipping of goods and passengers at or near the Town of New Plymouth:

And whereas the said land is of no value for the purposes mentioned, but is suitable for recreational purposes:

And whereas it is in the public interest that the said land should be administered and developed for recreational purposes:

And whereas the Taranaki Harbour Board has agreed to transfer the land to Her Majesty as an addition to the Corbett Park Domain, but has no statutory authority to do so:

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 vesting in the Taranaki Harbour Board 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 public domain subject to the provisions of Part 3 of the Reserves and Domains Act 1953, and to form part of the Corbett Park Domain under the control of the Corbett Park Domain Board, but otherwise freed and discharged from all trusts, reservations, or restrictions heretofore affecting the said 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 parts New Plymouth Harbour Reserve C, situated in Block II, Wairau Survey District, containing 3 acres 3 roods 14 perches, more or less: as the same is more particularly delineated on the plan marked L and S 1/1163A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

**4 Amending section 99 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914**

Whereas section 99 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914 authorised the Wairau Harbour Board to acquire and lease certain specified land on the terms and conditions therein provided:

And whereas paragraph (b) of subsection (5) of that section purporting to describe the land intended to be affected thereby omitted the description of certain parcels of land:

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

And whereas part of this land has been utilised by the Come to Blenheim Association Incorporated as a native planted shrubbery and rose garden and is maintained by public subscription:

And whereas the Wairau Harbour Board has transferred that part to the Corporation of the Borough of Blenheim so that its occupation by the Association can be regularised:

And whereas it is desired to validate such transfer:

Be it therefore enacted as follows:

- (1) Section 99 of the Reserves and Other Lands and Public Bodies Empowering Act 1914 is hereby amended as from the passing of that Act by omitting paragraph (b) from subsection (5) and substituting the following paragraph:
  - “(b) firstly, all that parcel of land containing 1 rood 4 perches and five-tenths of a perch, more or less, being part of Allotments 12, 13, and 14 on plan deposited in the Land Registry Office at Blenheim as No 440 as a subdivision of part of Section 46 on the plan of the District of Opawa, being the whole of the land comprised in certificate of title, Volume 13, folio 204, Marlborough Registry, together with a right of way over the portion of Allotment 12 coloured purple on the said Deposited Plan No 440 which said right of way is appurtenant to the said part of Allotment 12 comprised in the said certificate of title but subject nevertheless to the right of way over the portion of the said Allotment 12 coloured yellow on the said deposited plan for the owners of part of Allotments 12 and 13 comprised in certificate of title, Volume 10, folio 226, Marlborough Registry.  
Secondly, all that parcel of land containing 24 perches and sixty-four one-hundredths of a perch, more or less, being part of Allotments 6, 7, and 8 of the subdivision of Section 46, District of Opawa, and more particularly shown on plan deposited in the Land Registry Office at Blenheim as No 439, and being the balance of the land comprised in certificate of title, Volume 13, folio 226, Marlborough Registry, subject to drainage rights over the said part Lot 7 created by conveyance No 17796.  
Thirdly, all that parcel of land containing 1 rood 11 perches and fifteen one-hundredths of a perch, more or less, being part of Allotment 8 of the subdivision of Section 46, District of Opawa, and being the balance

of the land comprised in certificate of title, Volume 44, folio 251, Marlborough Registry, together with right of way over part Lot 7 of Section 46, District of Opawa, and part Lot 2, Deposited Plan 1663, granted by transfer No 17613 and subject to a right of way over part of Lot 8 created by conveyance No 17796 and subject to Order in Council No K693 imposing a building-line restriction.

Fourthly, all that parcel of land containing 1 rood 11 perches and ninety-seven one-hundredths of a perch, more or less, being Lot 1 on plan deposited in the Land Registry Office at Blenheim as No 2468, being part Section 46, District of Opawa, and being all the land comprised in certificate of title, Volume 57, folio 287, Marlborough Registry, together with rights of way over part Lot 7 of Section 46, District of Opawa, and part Lot 2, Deposited Plan No 1663, granted by transfer No 17613, and subject to drainage rights created by conveyance No 17796.”

- (2) The transfer dated 25 July 1958 and registered in the Land Registry Office at Blenheim under Number 29459 from the Wairau Harbour Board to the Corporation of the Borough of Blenheim of the land fourthly described in paragraph (b) of subsection (5) of section 99 of the Reserves and Other Lands and Public Bodies Empowering Act 1914, as substituted by subsection (1), is hereby validated and declared to have been lawfully made.

**5 Declaring certain endowment land vested in the University of Otago to be Crown land subject to the Land Act 1948**

Whereas the land described in subsection (2) (in this section referred to as the **said land**) is reserved as an endowment for the University of Otago (in this section referred to as the **university**):

And whereas the said land is administered by the Crown on behalf of the university:

And whereas it has been agreed between the university and Her Majesty that in the interests of closer settlement the said land be resumed as Crown land:

And whereas it is desirable that the reservation for university endowment purposes be cancelled and that to enable its better disposal the said land should be declared subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) As from the last day of February 1960 the vesting of the land described in subsection (2) in the university as an endowment shall be deemed to be cancelled and the said land shall thereupon become Crown land subject to the Land Act 1948.
- (2) The land to which this section relates is more particularly described as follows:

All that area in the Southland Land District, Wallace County, containing 44 060 acres, more or less, being Sections 1 and 2, Snowdon Survey District, Section 2, Te Anau Survey District, and those parts of Section 3, Mararoa Survey District, and Section 2, Burwood Survey District, lying to the north-west of the Mararoa River (being formerly described as Run 304), and being part of the land described in the Schedule of the University of Otago Endowment Ordinance 1870 (Otago Province): as shown on the plan marked L and S 8/10/36, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

#### **6 Vesting certain land in Her Majesty as an addition to the Gisborne Domain**

Whereas the land described in subsection (3) is situated along the foreshore at Gisborne:

And whereas it is desirable that all the said land be vested in Her Majesty as an addition to the Gisborne Domain to enable the Gisborne City Council, acting as the Gisborne Domain Board, to develop the land for recreation purposes:

And whereas those persons who are the registered proprietors of parts of the said land have consented to this being done:



And whereas part of the said land was formerly below the mean high-water mark of the sea and doubts have arisen as to the status and ownership of that part which is now dry land: And whereas part of the said land is dedicated as a public street:

And whereas it is expedient that special provision be made adding the said land to the Gisborne Domain:

Be it therefore enacted as follows:

- (1) The dedication as a public street of part of the land described in subsection (3) and all other trusts, reservations, and restrictions heretofore affecting the said land, except those referred to in a memorandum of transfer registered in the Land Registry Office at Gisborne under Number 11379, are hereby cancelled, and the said land is hereby declared to be vested in Her Majesty as a public domain subject to the provisions of Part 3 of the Reserves and Domains Act 1953 and to form part of the Gisborne Domain under the control of the Gisborne City Council acting as the Gisborne Domain Board.
- (2) The District Land Registrar for the Land Registration District of Gisborne 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 Gisborne Land District, City of Gisborne (to be known hereafter as Section 2, Block VII, Turanganui Survey District), containing 19 acres 2 roods 20 perches, more or less, bounded by a line commencing at a point being the intersection of the production of the south-western boundary of part Waiohiharore 3 with the high-water mark of the sea, as shown on DP 2956, and proceeding north-westerly along the boundary of part Waiohiharore 3 and its production to the south-eastern side of the Centennial Marine Drive; thence north-easterly along the south-eastern side of the Centennial Marine Drive and its production across Stanley Road to the eastern side of that road; thence southerly by the eastern side of Stanley Road to the south-western corner of Lot 1, DP 4388;

thence easterly along the southern boundary of the said Lot 1 to its intersection with the southern side of the Centennial Marine Drive; thence easterly and north-easterly along the southern and south-eastern sides of the said Centennial Marine Drive to the north-western corner of Lot 1, DP 1176; thence easterly along the northern boundary of the said Lot 1 to its intersection with a beacon reserve, as shown on SO Plan 717; thence south-easterly, easterly, and north-westerly along the south-western, southern, and north-eastern boundaries of that beacon reserve to intersect again the northern boundary of Lot 1, DP 1176; thence again easterly along the said northern boundary of Lot 1, DP 1176, to and across Roberts Road and again along the northern boundary of the said Lot 1 to the north-western side of Grey Street; thence south-easterly along a right line across Grey Street to the westernmost corner of Section 1, Block VII, Turanganui Survey District, and along the south-western boundary of the said Section 1 to the boundary of Lot 1, DP 2956; thence south-westerly by that boundary to the high-water mark of the sea as shown on the said DP 2956; thence westerly generally along the said high-water mark to the point of commencement.

**7 Declaring certain land in the Whakatane County to be vested in Her Majesty as Crown land subject to the provisions of the Land Act 1948**

Whereas under the authority of section 70 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924, and pursuant to an Order in Council dated 29 June 1925, and published in the *Gazette* of 9 July of that year, the land described in subsection (2), together with other land, was vested in the Corporation of the County of Whakatane for tree-planting purposes:

And whereas the said land is no longer required for tree-planting purposes and it is desirable that it should be declared Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The vesting of the land described in subsection (2) in the Corporation of the County of Whakatane for tree-planting purposes is hereby cancelled and the said land is hereby vested

in Her Majesty as Crown land available for disposal under the Land Act 1948, freed and discharged from all 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 parts of Section 3, Block VI, Rangitaiki Upper Survey District, containing 37 acres 2 roods 20 perches, more or less: as shown on the plan marked L and S 9/1425A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 39842).

**8 Cancellling the vesting and changing the purpose of the reservation over part of a closed cemetery to a site for a scout hall**

Whereas by a notice dated 14 July 1875, and published in the *Nelson Provincial Gazette* of 5 August in that year, the land described in subsection (2) was reserved for a public cemetery: And whereas by an Order in Council dated 6 November 1891, and published in the *Gazette* of the 12th day of that month, it was ordered and directed that the cemetery should be closed from and after 1 June 1892, and that the said cemetery should, from and after that date, be vested in the Chairman, Councilors, and Inhabitants of the County of Inangahua (in this section referred to as the **Corporation**) under the provisions and for the purposes of section 79 of the Cemeteries Act 1882:

And whereas there have been no burials in that portion of the closed cemetery described in subsection (2):

And whereas the Corporation desires that the said portion should be made available for use as a site for a scout hall, but any such use is contrary to the trusts on which the land is held:

And whereas it is desirable that the land should be declared to be a reserve for a site for a scout hall in order that arrangements may be made under the Reserves and Domains Act 1953 for its control and management for that purpose:

Be it therefore enacted as follows:

- (1) The vesting in the Corporation as a closed cemetery of the land described in subsection (2) is hereby cancelled and the said

land is hereby declared to be vested in Her Majesty as a public reserve for a site for a scout hall.

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

All that area in the Nelson Land District, being Section 1361 (formerly part Section 1329), Town of Reefton, containing 2 roods 14 perches and four-tenths of a perch, more or less: as shown on the plan marked L and S 2/648, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 10122).

**9 Authorising the Inglewood Borough Council to expend endowment money on public reserves**

Whereas pursuant to the Inglewood Borough Endowment Disposal Act 1915 the Inglewood Borough Council was authorised to sell certain land being portion of the Inglewood Town-improvement Endowment and to pay the proceeds of any such sales to the Public Trustee for investment for and on behalf of the Corporation of the Borough of Inglewood (in this section referred to as the **Corporation**):

And whereas the said Act provided that such proceeds shall from time to time be applied by the Public Trustee, with the consent of the Council of the Corporation, in or towards the purchase of suitable freehold land in or near the Borough of Inglewood, for the purpose of replacing the endowments so sold:

And whereas the Council is empowered, by section 29 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, to expend the interest derived from the investment of the said proceeds for town improvement purposes, but is not empowered to use the capital sum other than for the purchase of freehold land as aforesaid:

And whereas it is desirable and expedient that the Council should be authorised to expend the said capital sum and the interest thereon in or towards the development and improvement of public reserves owned, vested in, or controlled by the Council of the Corporation:

Be it therefore enacted as follows:

- (1) The Public Trustee is authorised and directed to pay the money now held by him, under and by virtue of subsection (2) of section 2 of the Inglewood Borough Endowment Disposal Act 1915, to the Council of the Corporation.
- (2) The Council of the Corporation is authorised to expend, from time to time, the whole or any part of the said money, and the interest thereon, for all or any of the following purposes:
  - (a) the development and improvement of public reserves owned, vested in, or controlled by the Council:
  - (b) the erection of buildings, seating, and other improvements of a substantial or permanent character on the said public reserves owned, vested in, or controlled by the Council.
- (3) The Inglewood Borough Endowment Disposal Act 1915, and section 29 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922 are hereby repealed.

**10 Vesting certain land in the Timaru Harbour Board subject to certain conditions**

Whereas by the Timaru Harbour Board Act 1876 Amendment Act 1881 certain land described therein was vested in the Timaru Harbour Board (in this section referred to as the **Board**) for an estate in fee simple subject to certain provisions set out in that Act and subject to those provisions of the Harbours Act 1878 which related to land vested in Harbour Boards:

And whereas it is proposed to vest additional land in the Board:

And whereas part of the land proposed to be so vested is vested in Her Majesty for railway purposes, and the remainder is Crown land and part of the foreshore:

And whereas it is desirable that these areas should be vested in the Board subject to the same terms and conditions as applied to the land already vested in the Board as aforesaid:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby vested in the Board subject to the provisions of the Harbours Act 1950, and sections 3, 5, and 6 of the Timaru Harbour Board Act 1876

Amendment Act 1881, shall apply, as from the passing of this Act, as if the said land were vested in the Board under that Act.

- (2) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1950.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Canterbury Land District, City of Timaru, and foreshore, containing 5 acres 3 roods, more or less, and being railway land pursuant to section 4 of the Timaru Harbour Board Act 1876 Amendment Act 1881 and Crown land and foreshore, bounded by a line commencing at a point on the low-water mark of the sea due east of the southernmost corner of Reserve 4643 in Block II, Patiti Survey District, City of Timaru, and proceeding due west to the north-eastern side of the road forming the north-eastern boundary of the aforementioned reserve; thence north-westerly generally along that roadside and the north-eastern side of South Street to the south-eastern boundary of the Timaru Harbour Board area as defined in the Schedule of the Timaru Harbour Board Act 1876 Amendment Act 1881; thence north-easterly along that boundary (bearing 72°58') to the low-water mark of the sea; thence south-easterly generally along the low-water mark of the sea to the point of commencement: as shown on the plan marked L and S 13/265, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow (SO Plan 9582).

#### **11 Declaring land subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948**

Whereas the land described in subsection (2) is set apart as permanent State forest land under the Forests Act 1949:

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

Be it therefore enacted as follows:

- (1) The setting apart of the land described in subsection (2) as permanent State forest land is hereby revoked 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:

Firstly, all that area in the South Auckland Land District, being parts Run 54, and being also part permanent State forest land by Proclamation dated 27 November 1931, and published in the *Gazette* of 3 December of that year at page 3412, situated in Block I, Galatea Survey District, containing 58 acres 3 roods 15 perches, more or less: as shown on the plan marked L and S 10/92/111, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38812).

Secondly, all that area in the South Auckland Land District, being part Allotment 676, Parish of Taupiri, situated in Block VII, Hapuakohe Survey District, containing 60 acres 1 rood 9 perches and eight-tenths of a perch, more or less: as shown on the plan marked L and S 9/3603, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 39402).

Thirdly, all that area in the South Auckland Land District, being part of the land set apart as permanent State forest land by Proclamation dated 27 September 1935, and published in the *Gazette* of 3 October of that year at page 2735, and being also the land known as Section 6, Block XV, Tairua Survey District, containing 69 acres 2 roods 32 perches, more or less: as shown on the plan marked L and S 22/1432/23, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 39616).

Fourthly, all that area in the Hawke's Bay Land District, being Section 2, Block VIII, Makaretu Survey District, containing 103 acres 1 rood, more or less: as shown on the plan marked L and S 11/906, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 3111).

Fifthly, all that area in the Hawke's Bay Land District, being Section 8 (formerly part Section 1), Block XIII, Maungaharuru Survey District, containing 5 acres 2 roods 2 perches and eight-tenths of a perch, more or less, and being part of the land comprised and described in certificate of title, HB Volume 83, folio 223, Hawke's Bay Registry: as shown on the plan

marked L and S 8/2/28, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 3174).

Sixthly, all that area in the Taranaki Land District, being part Lot 9 on Deposited Plan numbered 393, being part Pohokura Block, situated in Block XI, Ngatimaru Survey District, containing 12 acres 2 roods 8 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 4, folio 197, Taranaki Registry: as shown on the plan marked L and S 10/94/20, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 9102).

Seventhly, all that area in the Taranaki Land District, being parts of Section 22, Block XV, Waitara Survey District, containing 12 acres 1 rood, more or less: as shown on the plan marked L and S 27/255, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 8930).

Eighthly, all that area in the Wellington Land District, being part Raetihi 5A Block, situated in Block IV, Makotuku Survey District, containing 1 594 acres 3 roods 9 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 101, folio 106, Wellington Registry: as shown on the plan marked L and S 10/95/44, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Ninthly, all that area in the Wellington Land District, being Section 5, Block II, Tararua Survey District, containing 23 acres, more or less, and being all the land comprised and described in certificate of title, Volume 87, folio 263, Wellington Registry; and also part Section 135, Block XIII, Mangahao Survey District, containing 25 acres and 34 perches, more or less: as shown on the plan marked L and S 10/95/35, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plans 13473 and 13531).

Tenthly, all that area in the Nelson Land District, being part Section 86, District of Waimea West, situated in Block I, Waimea Survey District, containing 49 acres 3 roods 30 perches, more or less, and being all the land comprised and



described in certificate of title, Volume 63, folio 97, Nelson Registry: as shown on the plan marked L and S 10/97/76, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Eleventhly, all that area in the Nelson Land District, being part Section 8, Block IV, Maruia Survey District, containing 557 acres 3 roods, more or less: as shown on the plan marked L and S 10/97/56, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 10085).

Twelfthly, all that area in the Nelson Land District, being all the land shown on Deposited Plan numbered 1557, being part Section 83, District of Moutere Hills, situated in Block XII, Motueka Survey District, containing 5 acres, more or less, and being all the land comprised and described in certificate of title, Volume 53, folio 282, Nelson Registry: as shown on the plan marked L and S 10/97/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Thirteenthly, all that area in the Westland Land District, being part Reserves 1890 and 1894, situated in Block II, Ahaura Survey District, containing 39 acres 1 rood 6 perches, more or less; and also part Reserve 1596, situated in Block I, Ahaura Survey District, containing 1 acre 2 roods 19 perches, more or less: as shown on the plans marked L and S 36/2025 A and B, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red (SO Plans 4835 and 4836).

Fourteenthly, all that area in the Westland Land District, being part Reserve 1898, situated in Block II, Ahaura Survey District, containing 22 acres 2 roods 30 perches, more or less; and also part Reserve 1899, situated in Block VI, Ahaura Survey District, containing 17 acres 2 roods 19 perches, more or less: as shown on the plan marked L and S 10/98/40C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 4819).

Fifteenthly, all that area in the Canterbury Land District, being part Reserve 3286, situated in Block XV, Bealey Survey District, containing 48 acres, more or less: as shown on the plan

marked L and S 9/3648, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 9398).

Sixteenthly, all that area in the Canterbury Land District, being parts Reserve 4380, situated in Blocks II, VI, and VII, Skiddaw Survey District, containing 809 acres, more or less: as shown on the plan marked L and S 8/8/45B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged green (SO Plan 9511L).

Seventeenthly, all that area in the Canterbury Land District, being part Reserve 4381, situated in Block VIII, Skiddaw Survey District, and Block V, Tekoa Survey District, containing 640 acres, more or less: as shown on the plan marked L and S 8/8/45C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged green (SO Plan 9509).

Eighteenthly, all that area in the Otago Land District, being part of the land set apart as permanent State forest land by Proclamation dated 18 December 1952, and published in the *Gazette* of 15 January 1953 at page 2, and being the land now known as Section 33 (formerly part Section 20), Block I, Woodland Survey District, containing 38 acres and 37 perches, more or less: as shown on the plan marked L and S 10/101/31, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 12644).

Nineteenthly, all that area in the North Auckland Land District, being part of the land set apart as permanent State forest land by a Proclamation dated 21 September 1938, and published in the *Gazette* of 29 September of that year at page 2144, situated in Blocks II, III, VI, VII, and XI, Mangonui Survey District, containing 8 179 acres 4 perches and seven-tenths of a perch, more or less: as shown on the plan marked L and S 10/91/39A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 41401).

Twentiethly, all that area in the North Auckland Land District, being land set apart as permanent State forest land, notice of the acquisition of which land, dated 7 October 1951, was published in the *Gazette* of 15 November of that year at page 1716, and being Allotment 80, Parish of Mangonui East, situated

in Block VII, Mangonui Survey District, containing 46 acres, more or less: as shown on the plan marked L and S 10/91/39B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 1021A).

Twenty-firstly, all that area in the North Auckland Land District, being part Sections 51H and 53H, Riverhead Homestead Settlement, situated in Block VI, Waitemata Survey District, containing 24 acres 1 rood 19 perches, more or less: as shown on the plan marked L and S 22/2948D, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 41461).

Twenty-secondly, all that area in the South Auckland Land District, being part Paeroa East 4B 1A Block and part Section 62S, Reporoa Settlement, situated in Block VII, Paeroa Survey District, containing 1 rood 6 perches and two-tenths of a perch, more or less: as shown on the plan marked L and S 36/1386, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 38972).

Twenty-thirdly, all that area in the Nelson Land District, being Section 52, Block VII, Kawatiri Survey District, containing 7 acres 1 rood 5 perches, more or less: as shown on the plan marked L and S 10/97/59, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 9272).

**12 Vesting certain land held by the Bourne Dean Recreation Ground Trustees in Her Majesty as the Bourne Dean Domain**

Whereas the land described in subsection (5), known as the Bourne Dean Recreation Ground (in this section referred to as the **said land**), was by deed of conveyance dated 10 March 1915, and registered in the Deeds Register Office at Auckland under Number 241784, vested in trustees as a place of public recreation and enjoyment for the people of Kaipara Flats:

And whereas since that date changes of trustees have been registered:

And whereas the said land has been developed in accordance with the trusts created by the said deed of conveyance and a

public hall has been erected on the said land and certain funds have accumulated in connection with the said trusts:

And whereas it is desirable that the said land should be declared a public domain:

And whereas the trustees have no power of sale but are desirous of transferring the said land to the Crown so that it can be declared a public domain, and the said land and funds administered and controlled by the Rodney County Council acting as a Domain Board:

And whereas it is desirable and expedient to make provision accordingly:

Be it therefore enacted as follows:

- (1) The land described in subsection (5) is hereby declared to be no longer vested in the trustees of the Bourne Dean Recreation Ground, and the said land is hereby declared to be vested in Her Majesty as a public domain subject to the provisions of Part 3 of the Reserves and Domains Act 1953 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said land.
- (2) The said domain shall be known as the Bourne Dean Domain, and the Rodney County Council is hereby appointed to be the Bourne Dean Domain Board to have control of the said domain, but this appointment shall be deemed to have been made by the Minister of Lands by notice in the *Gazette*, under section 47 of the Reserves and Domains Act 1953.
- (3) 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.
- (4) The trustees are authorised and directed to pay the said accumulated funds to the Rodney County Council acting as the Bourne Dean Domain Board, and the said accumulated funds shall be and form part of the assets of the Board.
- (5) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, being part Allotment 7, Kourawhero Parish, situated in Block V,

Mahurangi Survey District, containing 15 acres, more or less, and being all the land comprised and described in certificate of title, Volume 759, folio 213 (limited as to parcels and title), Auckland Registry: as shown on the plan marked L and S 1/1486, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

**13 Vesting portion of a closed cemetery in the Corporation of the Borough of Cromwell for street purposes and as public reserves**

Whereas by the Cemeteries Ordinance 1865 of the Province of Otago, Section 1, Block XCIII, Town of Cromwell, containing an area of 10 acres, was reserved for a public cemetery:

And whereas by an Order in Council dated 10 June 1941, and published in the *Gazette* of the 19th day of that month, it was ordered and directed that the cemetery should be closed from and after 1 December 1941, and that the said cemetery should, from and after that date, be vested in the Cromwell Borough Council (in this section referred to as the **Council**) under the provisions and for the purpose of section 78 of the Cemeteries Act 1908:

And whereas burials have been made in only a small portion of the said cemetery, and the greater portion has been used for street purposes, for recreation, and as a site for a borough depot:

And whereas such use of the greater portion is contrary to the trusts upon which the land is held:

And whereas in order to provide for the proper control and use of the said greater portion it is desirable that the existing vesting of that portion under the Cemeteries Act 1908 should be cancelled, that part of the land should be declared to be a public street, and that the remainder should be reserved for the purposes for which it is now used and vested in the Mayor, Councillors, and Citizens of the Borough of Cromwell (in this section referred to as the **Corporation**) in trust for those purposes:

Be it therefore enacted as follows:

- (1) The vesting in the Council under the provisions and for the purpose of section 78 of the Cemeteries Act 1908 of that portion (in subsections (2), (3), and (4) referred to as the **said land**) of the closed cemetery described in subsection (5) is hereby cancelled.
- (2) The portion of the said land described in subsection (6) 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.
- (3) The portion of the said land described in subsection (7) is hereby declared to be a reserve for recreation purposes subject to the Reserves and Domains Act 1953, and to be vested in the Corporation in trust for those purposes.
- (4) The portion of the said land described in subsection (8) is hereby declared to be a reserve for a site for a borough depot subject to the Reserves and Domains Act 1953, and to be vested in the Corporation in trust for that purpose.
- (5) The portion of the closed cemetery to which subsection (1) relates is described as follows:

All that area in the Otago Land District, Borough of Cromwell, containing 9 acres and 15 perches and five-tenths of a perch, more or less, and being part Section 1, Block XCIII, Town of Cromwell: as shown on the plan marked L and S 2/439A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 12757).
- (6) The land to which subsection (2) relates is described as follows:

All that area in the Otago Land District, Borough of Cromwell, containing 1 acre, more or less, and being part Section 1, Block XCIII, Town of Cromwell: as shown on the plan marked L and S 2/439B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow (SO Plan 12691).
- (7) The land to which subsection (3) relates is described as follows:

All that area in the Otago Land District, Borough of Cromwell, containing 7 acres and 14 perches and eight-tenths of a perch,

more or less, and being Section 4 (formerly part Section 1), Block XCIII, Town of Cromwell (SO Plan 12692).

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

All that area in the Otago Land District, Borough of Cromwell, containing 1 acre and seven-tenths of a perch, more or less, and being Section 3 (formerly part Section 1), Block XCIII, Town of Cromwell (SO Plan 12692).

**14 Authorising Trustees of recreation land at Mangere to transfer part of such land to the Corporation of the County of Manukau**

Whereas the land described in subsection (4), known as the S W House Recreation Park, is held by Trustees for an estate in fee simple in trust to be used and enjoyed by the residents of the district of Mangere as a place for their recreation and enjoyment:

And whereas it is desired that a public hall should be erected on portion of the said land:

And whereas to enable this to be done it is expedient that such portion of the said land as is determined by the Trustees, but not exceeding an area of 2 roods, shall be transferred to the Corporation of the County of Manukau (in this section referred to as the **Corporation**) by way of a gift to be held by the Corporation in trust as a site for a public hall:

And whereas the Trustees are desirous of transferring the required portion of the said land to the Corporation without consideration but have no power to do so, and it is desirable that such power be conferred:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law the Trustees for the time being of the S W House Recreation Park are hereby authorised and empowered to transfer such portion, not exceeding an area of 2 roods, of the land described in subsection (4), as may be agreed upon between the Trustees and the Council of the Corporation, to the Corporation without consideration for a site for a public hall.

- (2) On the registration of any transfer made pursuant to subsection (1) the land transferred thereby shall vest in trust in the Corporation for the purposes of a site for a public hall, but otherwise freed and discharged from all trusts, reservations, and restrictions theretofore affecting it.
- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to accept such documents for registration, to deposit such plans, 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 S W House Recreation Park referred to in this section is particularly described as follows:  
All that area in the North Auckland Land District, being Lot 4, DP 13141, being part Allotment 82, Parish of Manurewa, containing 6 acres, more or less, and being all the land comprised and described in certificate of title, Volume 309, folio 13, Auckland Registry.

**15 Authorising the sale and other dispositions of portions of the Tauranga Cemetery and provisions incidental thereto**  
Whereas by a notice dated 15 May 1878, and published in the *Gazette* of the 16th day of that month and by a notice dated 13 October 1879, and published in the *Gazette* of the 16th day of that month, Allotments 55 and 58, Suburbs of Tauranga, containing together 25 acres, more or less, were reserved as a public cemetery (in this section referred to as the **Tauranga Cemetery**):

And whereas by an Order in Council dated 20 August 1886, and published in the *Gazette* of the 26th day of that month, power was delegated to the Corporation of the Borough of Tauranga (in this section referred to as the **Corporation**) to appoint or remove trustees to control and manage the Tauranga Cemetery:

And whereas in exercise of these powers the Corporation appointed the Tauranga Cemetery Trustees to control and manage the Tauranga Cemetery:



And whereas it is expedient that the reservation should be cancelled over those parts of the Tauranga Cemetery described in subsection (8) which are no longer required for cemetery purposes:

And whereas it is expedient that the land described in subsection (7) be retained for cemetery purposes and vested in the Corporation for such purposes, and continue to be controlled and managed by the Tauranga Cemetery Trustees:

And whereas it is expedient that the land described in subsection (8) being the land no longer required for cemetery purposes, shall vest in the Corporation for an estate in fee simple and that the Corporation shall be empowered to sell the said land and to apply the proceeds in the acquisition of other land for cemetery purposes or in the improvement of the land retained as the Tauranga Cemetery or of any land which may hereafter be acquired by or become vested in the Corporation for the said purpose:

And whereas it is expedient that those portions of the Tauranga Cemetery described in subsection (9) be declared to be reserves for plantation purposes, and that such reserves shall vest in the Corporation for those purposes:

And whereas the Tauranga Cemetery Trustees and the Corporation have consented to such action:

Be it therefore enacted as follows:

- (1) The reservation for cemetery purposes of the land described in subsections (8) and (9) is hereby cancelled.
- (2) The land described in subsection (8) is hereby declared to be vested for an estate in fee simple in the Corporation freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same and the Corporation is hereby empowered to sell the said land or any part thereof by public auction, public tender, or private contract, or partly by one and partly by the other of such modes of sale, and either in 1 lot or in subdivisions as the Corporation may in its discretion decide, but subject to such conditions as to title, time, or mode of payment of purchase money or otherwise as it thinks fit, and with or without a grant or reservation of rights of way, rights of water easements, drainage easements, or other rights,

privileges, or easements in favour of the purchaser or the said Corporation, or any other person.

- (3) The net proceeds from the sale of the land referred to in subsection (8), or any part of that land, and the income from those proceeds, shall be applied towards all or any of the following objects:
- (a) the purchase or other acquisition of land situated in the County of Tauranga to be held for cemetery purposes:
  - (b) the development, improvement, or maintenance of any land that—
    - (i) is vested, or may become vested, in the Corporation for cemetery purposes; or
    - (ii) has been part of the Tauranga Cemetery, but is now vested in the Corporation in trust for plantation purposes:
  - (c) the erection and maintenance, as and when required and to the extent of the funds from time to time available, of a crematorium and other buildings for cemetery purposes:
  - (d) the acquisition and maintenance of plant, machinery, and other equipment required for cemetery purposes or plantation purposes on land specified in paragraph (b).
- (4)
- (a) The land described in subsection (7) is hereby declared to be vested in the Corporation in trust for cemetery purposes.
  - (b) The Tauranga Cemetery Trustees appointed by the Corporation to have the control and management of the Tauranga Cemetery shall continue to have, subject to the Cemeteries Act 1908, the control and management of those parts of the Tauranga Cemetery described in subsection (7).
  - (c) It shall be lawful for the Corporation and the Tauranga Cemetery Trustees to appropriate permanently and set aside that portion of the Tauranga Cemetery described in subsection (10) for use as a Lawn Cemetery for the burial of deceased returned servicemen, and to permit the interment of such persons therein without payment of any fee, and to grant without payment, whether in

perpetuity or for a limited period, the exclusive right of burial therein.

- (5) Those portions of the Tauranga Cemetery described in subsection (9) are hereby declared to be reserves for plantation purposes subject to the Reserves and Domains Act 1953, and are hereby vested in the Corporation in trust for those purposes.
- (6) 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.
- (7) The land to which paragraphs (a) and (b) of subsection (4) relate is described as follows:

All those areas in the South Auckland Land District, Tauranga Borough, situated in Block X, Tauranga Survey District, being lots of a subdivision of Allotments 55 and 58, Suburbs of Tauranga; more particularly delineated on SO Plan 40076 lodged in the office of the Chief Surveyor at Auckland and described as follows: Firstly, Lot 1, containing 1 acre 1 rood 34 perches, more or less: Secondly, Lot 3, containing 1 acre, more or less: Thirdly, Lot 4, containing 3 acres and 16 perches, more or less: Fourthly, Lot 7, containing 4 acres 1 rood, more or less: Fifthly, Lot 8, containing 1 acre 2 roods, more or less: Sixthly, Lot 11, containing 11 perches, more or less: all shown edged red on the aforesaid SO Plan 40076.

- (8) The land to which subsections (2) and (3) relate is described as follows:

All those areas in the South Auckland Land District, Tauranga Borough, situated in Block X, Tauranga Survey District, being lots of a subdivision of Allotments 55 and 58, Suburbs of Tauranga; more particularly delineated on SO Plan 40076 lodged in the office of the Chief Surveyor at Auckland and described as follows: Seventhly, Lot 2, containing 6 acres and 23 perches, more or less: Eighthly, Lot 6, containing 2 acres 2 roods 30 perches, more or less: Ninthly, Lot 9, containing 3 acres 1 rood 24 perches, more or less: all shown edged red on the aforesaid SO Plan 40076.

- (9) The land to which subsection (5) relates is described as follows:

All those areas in the South Auckland Land District, Tauranga Borough, situated in Block X, Tauranga Survey District, being lots of a subdivision of Allotments 55 and 58, Suburbs of Tauranga; more particularly delineated on SO Plan 40076 lodged in the office of the Chief Surveyor at Auckland and described as follows: Tenthly, Lot 5, containing 2 roods 36 perches, more or less: Eleventhly, Lot 10, containing 2 roods 26 perches, more or less: all shown coloured green and marked "Plantation Reserve" on the aforesaid SO Plan 40076.

- (10) The land to which paragraph (c) of subsection (4) relates is described as follows:

All that area in the South Auckland Land District, Tauranga Borough, situated in Block X, Tauranga Survey District, being Lot 3 of a subdivision of Allotment 55, Suburbs of Tauranga, containing 1 acre, more or less; as more particularly delineated on SO Plan 40076 lodged in the office of the Chief Surveyor at Auckland, and thereon edged red.

Section 15(3): replaced, on 20 October 1972, by section 3 of the Reserves and Other Lands Disposal Act 1972 (1972 No 124).

## **16 Authorising the Corporation of the Borough of Greytown to expend certain money on additional land**

Whereas the Corporation of the Borough of Greytown (in this section referred to as the **Corporation**) was by virtue of section 11 of the Reserves and Other Lands Disposal Act 1950 authorised and empowered to expend from time to time as the Corporation thought fit any money received from the leasing of the lands firstly described in subsection (2) of section 11 of that Act on the maintenance, upkeep, and improvement of the land secondly described in subsection (2) of the said section and known as the Greytown Memorial Park:

And whereas the Corporation has since purchased as a reserve for recreation purposes certain land adjoining the Greytown Memorial Park being the land described in subsection (2) and such land now forms part of that park:

And whereas the land described in subsection (3) while not adjoining the Greytown Memorial Park has been vested in the Corporation as a reserve for recreation purposes:

And whereas it is expedient to authorise the Corporation to expend the money received from the leasing of the land firstly described in subsection (2) of the said section 11 for the development for recreation purposes of the land described in subsections (2) and (3) of this section and for like purposes on any other land purchased or vested in or which may be hereafter purchased or vested in the Corporation as public reserves for recreation purposes:

And whereas it is expedient that the Corporation should be so authorised:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 11 of the Reserves and Other Lands Disposal Act 1950 or in any other Act or rule of law, the Corporation is hereby authorised and empowered to expend from time to time as it thinks fit any money received from the leasing of the land firstly described in subsection (2) of the said section 11 on the maintenance, upkeep, and improvement of the land described in subsections (2) and (3) of this section, and for the like purposes on any other land which has been purchased by or vested in or which may hereafter be purchased by or vested in the Corporation for recreation purposes.
- (2) The land purchased by the Corporation and added to the Greytown Memorial Park as hereinbefore referred to is particularly described as follows:

All that area of land in the Wellington Land District, situated in the Borough of Greytown, containing 1 acre 3 roods 27 perches and thirteen one-hundredths of a perch, more or less, being part Section 4, Greytown Small Farm Settlement, and being Lots 2 and 3, Deposited Plan 21041, and being all the land comprised and described in certificate of title, Volume 852, folio 23, Wellington Registry.
- (3) The recreation reserve vested in the Corporation as hereinbefore referred to is particularly described as follows:

All that area of land in the Wellington Land District, situated in the Borough of Greytown, containing 3 roods 5 perches and one-tenth of a perch, more or less, being part of Section 8, Greytown Small Farm Settlement, and being Lots 9, 10, and 11, Deposited Plan 14965, and being part of the land in certificate of title, Volume 564, folio 63, Wellington Registry.

**17 Special provisions regarding foreshore and land at Eastbourne**

Whereas section 4 of the Wellington Harbour Board and Corporation Land Act 1880 absolutely vests in the Wellington Harbour Board the foreshore of Port Nicholson from Korokoro Stream to Pencarrow Head to be held by the said Board for the purposes for which it is constituted:

And whereas recently the action of the sea and storms caused erosion of the land at and above mean high-water mark of the said foreshore, from the peg marked "O" at the corner of Muri-tai Road in the Borough of Eastbourne and running in a general northerly direction for a length of 56 chains to a peg marked "56" as shown on sheet (1) of plan numbered MD 9992 deposited in the office of the Marine Department at Wellington, and such erosion endangered certain land and houses in the Borough of Eastbourne:

And whereas such erosion and danger required urgent remedial action and the Eastbourne Borough Council, with the consent of the Governor-General in Council under the Harbours Act 1950, and the Board have erected protective works, including a sea wall, as shown on the said plan, on and in the vicinity of the said foreshore between the said peg marked "O" and the said peg marked "56", and as a result of such protective works new foreshore is forming and will or may form:

And whereas some doubt exists as to the definition of the said foreshore on account of the erection of the said protective works:

And whereas it is desirable to remove any such doubts:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law the foreshore seaward of the said sea wall between the

said peg marked “O” and the said peg marked “56”, as existing and varying from time to time by or as a result of the erection of the said protective works or the action of the sea or elements, is hereby absolutely vested and shall absolutely vest when formed, as the case may require, in the Wellington Harbour Board with the intent that the said Board shall continue at all times to have vested in it the continuous foreshore of Port Nicholson from Korokoro Stream to Pencarrow Head as it shall exist, form, or alter from time to time.

- (2) Notwithstanding anything to the contrary in any Act or rule of law any accretion of land which may from time to time exist between the said sea wall and the foreshore as referred to in subsection (1) shall absolutely vest in the Mayor, Councillors, and Citizens of the Borough of Eastbourne subject to it vesting in the Wellington Harbour Board if at any time it becomes, and whilst it remains, foreshore.

#### **18 Special provisions relating to certain land at Takaka**

Whereas the Golden Bay Agricultural and Pastoral Association (in this section referred to as the **Association**) is registered as proprietor of an estate in fee simple in the land firstly described in subsection (7):

And whereas the Association and the Takaka Athletic and Cycling Club Incorporated (in this section referred to as the **Club**) are registered as proprietors as tenants in common in equal shares of an estate in fee simple in the land secondly described in subsection (7):

And whereas the land described in subsection (7) is not required by its registered proprietors for their exclusive use:

And whereas it has been agreed that the said land be vested in the Corporation of the County of Golden Bay (in this section referred to as the **Corporation**) as a recreation reserve subject to the provisions of the Reserves and Domains Act 1953:

And whereas there is no authority for the said land to be so vested, and whereas it is desirable that provision be made accordingly:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Agricultural and Pastoral Societies Act 1908 or in any other Act or rule of law, the land described in subsection (7), together with all buildings and other improvements thereon is hereby vested in the Corporation as and for a recreation reserve subject to the provisions of the Reserves and Domains Act 1953, and subject also to the provisions hereinafter set out, but otherwise freed and discharged from all trusts, restrictions, and reservations heretofore affecting the same.
- (2) The District Land Registrar for the Land Registration District of Nelson 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 Association shall be entitled to use free of charge the buildings on the said land for the purpose of holding meetings and for storage of fittings and equipment to the same extent as immediately prior to the coming into force of this Act.
- (4) The Golden Bay County Council shall appoint a standing committee under section 71 of the Counties Act 1956, to be known as the Showgrounds Management Committee, which shall have the management of the said land, and which shall consist of:
  - (a) 2 members to be appointed in that behalf by the Golden Bay County Council:
  - (b) 1 person to be appointed by the Golden Bay County Council on the recommendation of the Association:
  - (c) 1 person to be appointed by the Golden Bay County Council on the recommendation of the Club:
  - (d) such other persons not exceeding 3 in number as the Golden Bay County Council may from time to time appoint as nominees of other sporting bodies in the Takaka District.
- (5) Notwithstanding anything to the contrary in any Act or rule of law or in the terms or trusts under which the Golden Bay Agricultural and Pastoral Society holds the sum of 750 pounds now deposited with the Permanent Building Society of Nelson on fixed deposit under Number D 2350, the said sum shall, on the coming into force of this Act, be and be deemed to be owned by the Corporation to be held by it and administered



pursuant to section 14 of the Land Subdivision in Counties Act 1946 in respect of the land described in subsection (7) and the Permanent Building Society of Nelson is hereby authorised and directed to transfer the ownership of the aforesaid amount on fixed deposit to the Corporation.

- (6) Commencing from the year ending on 31 March 1960, the Corporation shall and is hereby authorised and directed to pay from its general funds the sum of 30 pounds each year to the Association for the general purposes of the Association.
- (7) The land to which this section relates is particularly described as follows:

Firstly, all that area in the Nelson Land District, being part Lot 1A, DP 2371, being part of Part 1 of Section 22, District of Takaka, situated in Block X, Waitapu Survey District, containing 4 acres 3roods 2 perches and six-tenths of a perch, more or less, and being the balance of the land comprised and described in certificate of title, Volume 75, folio 221, Nelson Registry.

Secondly, all that area in the Nelson Land District, being part of Part 1 of Section 22, District of Takaka, situated in Block X, Waitapu Survey District, containing 9 acres 1 rood 38 perches and seven-tenths of a perch, more or less, and being the balance of the land comprised and described in certificate of title, Volume 62, folio 224 (limited as to parcels), Nelson Registry. As the same are shown on the plan marked L and S 22/3420A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

**19 Authorising the disposal of certain land vested in the Bishop Suter Art Gallery Trust Board subject to certain conditions**

Whereas by section 2 of the Bishop Suter Art Gallery Trustees Act 1896 the land described in subsection (5) was transferred to and vested in the Right Reverend Charles Oliver Mules and others to be held by them upon trust for the promotion of art in the City of Nelson, as they from time to time should think best, and in particular, for the establishment and endowment of an art gallery for the people of the City of Nelson to be called the “Bishop Suter Art Gallery”:

And whereas the said land is now vested in the Bishop Suter Art Gallery Trust Board (in this section referred to as the **Board**) incorporated under the Charitable Trusts Act 1957:

And whereas the Board has entered into an agreement for sale and purchase in respect of the land firstly described in subsection (5):

And whereas the Board has no power to sell this land and it is desirable that such power be provided:

And whereas it is also expedient that the Board should be empowered to sell the land secondly described in subsection (5):

And whereas it is also desirable that any such sale shall be subject to the approval of the Minister of Lands:

And whereas there is a hall erected on the land described in subsection (6):

And whereas it is expedient that such hall, which was paid for by local and public funds, should become a public hall, and that the land on which it is erected should be transferred to the Crown so that it may be reserved as a site for a public hall subject to the provisions of the Reserves and Domains Act 1953:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Bishop Suter Art Gallery Trustees Act 1896 or in any other Act or rule of law the Board may, subject to the approval of the Minister of Lands, transfer for valuable consideration all or any portion of the land described in subsection (5), subject further to any lease subsisting thereover, in such manner, on such terms, and subject to such conditions as it and the Minister of Lands deem fit, and on the transfer of such land any other trust, reservation, or restriction theretofore affecting the same shall be deemed to be cancelled.
- (2) The proceeds of the sale of any or all of the said land shall be paid to the Board, and shall be administered by it in accordance with the Bishop Suter Art Gallery Trustees Act 1896 or any other Act enabling the said Board.
- (3) The Board may at any time after the passing of this section assign or transfer to Her Majesty without consideration as a site for a public hall subject to the Reserves and Domains Act

1953 the land described in subsection (6), together with all improvements thereon.

- (4) The District Land Registrar for the Land Registration District of Nelson 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.

- (5) The land to which subsections (1) and (2) relate is more particularly described as follows:

Firstly, all that area in the Nelson Land District, being part Section 64, District of Motueka, situated in Block X, Kaiteriteri Survey District, containing 2 acres 2 roods, more or less, and being all the land comprised and described in certificate of title, Volume 65, folio 194 (limited as to parcels), Nelson Registry.

Secondly, all that area in the Nelson Land District, being part Section 3, District of Waimea South, situated in Block X, Waimea Survey District, containing 1 acre, more or less, and being all the land comprised and described in certificate of title, Volume 69, folio 231 (limited as to parcels), Nelson Registry.

- (6) The land to which subsection (3) relates is more particularly described as follows:

All that area in the Nelson Land District, being part Section 41, District of Waimea South, situated in Block IX, Waimea Survey District, containing 3 roods 30 perches, more or less, and being part of the land comprised and described in certificate of title, Volume 71, folio 44 (limited as to parcels), Nelson Registry (SO Plan 10147).

**20 Validating an agreement between Her Majesty, the Napier Harbour Board, and the Corporation of the City of Napier**

Whereas the area of 5 acres 3 roods 29 perches and eight-tenths of a perch described in subsection (3) (hereinafter referred to as the **said land**) is portion of certain Crown land at the summit and on the slopes of Bluff Hill, Napier:

And whereas the Napier Harbour Board (in this section referred to as the **Board**) has made application to the Crown for a licence to remove clay and limestone and other spoil from the said land for the purpose of harbour reclamation and protection works:

And whereas the Minister of Lands for and on behalf of Her Majesty has agreed to grant a licence for such purposes and has entered into and executed a certain agreement dated 25 September 1958, which agreement makes provision for the Board to occupy the said land for the purpose of removing spoil therefrom and specifies the annual amount payable to the Crown for the right to remove spoil, the conditions of working the spoil, the slopes of the batters, and their planting and protection, and confers on the Board certain conditional rights of renewal and provides for various other incidental matters:

And whereas the Corporation of the City of Napier (in this section referred to as the **Corporation**) has been joined as a party to the agreement:

And whereas an area of 2 acres 3 roods 21 perches, being the remaining portion of the Crown land hereinbefore mentioned (hereinafter referred to as the **domain land**), is to be set apart as a public domain under the control and management of the Council of the Corporation acting as a Domain Board under the provisions of Part 3 of the Reserves and Domains Act 1953:

And whereas it has also been agreed that all money received by the Crown from the Board for removal of spoil shall be paid to the Council of the Corporation until such time as the Minister of Lands shall otherwise direct to offset money spent by the said Council on the development for domain purposes of the domain land:

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

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Minister of Lands, the Board and the Corporation 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 for the purpose of doing all things requisite for the carrying out of the terms and conditions thereof, and the said agreement is hereby confirmed and validated and declared to be binding in all respects on the parties thereto, and to have full force and effect according to its tenor.

- (2) All money received by the Crown from the Board in respect of the said land may, without further appropriation than this section, be paid to the Council of the Corporation and shall be applied by it towards the future development of the domain land, or shall be used by the said Council to reimburse its General Account for any money it may pay or have paid therefrom towards the development of the domain land.
- (3) The land over which a licence is to be granted to the Board is particularly described as follows:

All that area in the Hawke's Bay Land District, City of Napier, being Suburban Section 680, Napier, containing 5 acres 3 roods 29 perches and eight-tenths of a perch, more or less: as shown on the plan marked L and S 6/10/22, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 3002).

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## Contents

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## Notes

### 1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1959. The reprint incorporates all the amendments to the Act as at 20 October 1972, 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)*

Reserves and Other Lands Disposal Act 1972 (1972 No 124): section 3

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