

**Reprint
as at 3 October 1995**



**Reserves and Other Lands Disposal
Act 1960**

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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 1960.

2 Authorising issue of a special lease over portion of sounds foreshore reserve, Tory Channel

Whereas by a notice issued pursuant to section 17 of the Reserves and Other Lands Disposal Act 1955 dated 12 February 1960, and published in the *Gazette* of the 18th day of that month, that portion of Government road fronting Lot 3,

DP 1519, described in subsection (4) (in this section referred to as the **said land**) was declared to be subject to the Reserves and Domains Act 1953 as a public reserve for sounds foreshore purposes:

And whereas situated partly on the said land and partly on adjoining foreshore is a whale factory owned by J. A. Perano & Co. Limited (in this section referred to as the **Company**) incorporated under the Companies Act 1955:

And whereas the Company occupies part of the said land and adjoining foreshore (together forming the site of the whale factory) under a licence issued to Joseph Henry Perano and Gilbert Thomas Perano under the provisions of the Whaling Industry Act 1935:

And whereas the balance of the said land has been held by the Company under temporary licence issued under the Land Act 1948:

And whereas the last-mentioned licence has expired and in the interests of its business the Company desires a long-term lease granting it exclusive occupation of the said land:

And whereas no authority exists for the granting of such a long-term lease:

And whereas the Company is prepared to allow the general public to have the right to use the track over the Company's land at the back of the said land so as to maintain continuity of access along the sounds foreshore reserves, and has agreed to maintain the track in good order:

And whereas the said land is not required for use for sounds foreshore purposes and it is desirable to grant the Company a long-term lease of the said land:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 17 of the Reserves and Other Lands Disposal Act 1955 or in any other Act or rule of law, the Minister of Lands may grant a lease to the Company to exclusively occupy the said land or any portion thereof, for a term of 21 years, with or without a perpetual right of renewal, but with no right of acquiring the fee simple, at such rent and upon such other terms and conditions as the Minister thinks fit:

provided that should at any time the said land so leased be no longer required or used for the purpose of a site for a whale factory, then the lease thereof shall immediately determine and the land revert to the Crown for use as a reserve for sounds foreshore purposes freed from all rights, title, and interest therein on the part of the Company.

- (2) Any lease, surrender, or other instrument that is required to be executed for the purpose of giving effect to the provisions contained in this section authorising the leasing of the said land may be executed by the Commissioner of Crown Lands for the Marlborough Land District, and any such instrument that is so executed shall not require to be executed by or on behalf of the Minister of Lands and shall be deemed to be validly executed for all purposes.
- (3) The District Land Registrar for the Land Registration District of Marlborough is hereby authorised and directed, on the production of such plans and other particulars as he may require, to register any lease executed under the provisions of this section and submitted to him for registration.
- (4) The land to which this section relates, is particularly described as follows:

All that area in the Marlborough Land District containing 1 acre 1 rood 20 perches, more or less, being part Sounds Foreshore Reserve situated in Block V, Arapawa Survey District, bounded by a line commencing at a point on the mean high-water mark of Fishermans Bay due west of peg XX on SO Plan 296 and proceeding due west to a point distant 1 chain from the said mean high-water mark; thence northerly and easterly along a line parallel to and distant 1 chain from the mean high-water mark of the said Fishermans Bay (as defined on the said plan 296) to a right line forming the south-eastern boundary of Lot 3, Deposited Plan 1519; thence south-westerly along a right line being the production of the said south-eastern boundary of Lot 3 to the mean high-water mark; thence westerly and southerly along the said mean high-water mark to the point of commencement; as shown on the plan marked L and S 22/3028/25A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 296).

3 Declaring certain endowment land in Rotorua County to be Crown land subject to the Land Act 1948

Whereas by a notice dated 29 April 1901, and published in the *Gazette* of 2 May in that year, at page 988, the land described in subsection (2) was reserved under the Land Act 1892 as a municipal endowment:

And whereas the said land is no longer required as a municipal endowment 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 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 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 Section 5, Block XXIV, Mamaku Village, situated in Block XIV, Rotorua Survey District, containing 1 acre, more or less: as shown on the plan marked L and S 6/1/377, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 11240).

4 Dissolution of Balclutha Athenaeum and provisions incidental thereto

Whereas the land described in subsection (7) (in this section referred to as the **said land**) is vested in the Balclutha Athenaeum, a body corporate under the Balclutha Athenaeum Act 1877 (in this section referred to as the **Athenaeum**), and is held by the said body corporate in trust for the purposes of the Athenaeum:

And whereas the only present function of the Athenaeum is the administration of the revenue derived from the leasing of the said land:

And whereas this revenue has for many years been invested in local body loans or has been applied towards the maintenance

of the Balclutha Public Library under the control and management of the Corporation of the Borough of Balclutha (in this section referred to as the **Corporation**):

And whereas the Corporation is willing to undertake the future control and maintenance of the said land and to apply the revenue derived therefrom for the purposes of the Balclutha Public Library provided that the property and assets of the Athenaeum are vested in it:

And whereas the Athenaeum has agreed to such action and it is desirable and expedient to make provision accordingly:

Be it therefore enacted as follows:

- (1) The Balclutha Athenaeum Act 1877 is hereby repealed and the Athenaeum dissolved.
- (2) Notwithstanding anything to the contrary in any Act or rule of law, the said land is hereby vested in the Corporation for an estate in fee simple as an endowment for library purposes, with power of sale, freed and discharged from all trusts heretofore affecting the same, but subject to all leases, liens, encumbrances, easements, and other restrictions heretofore affecting the said land.
- (3) All personal property of whatsoever nature, including all choses in action and the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto, belonging to the Athenaeum, are hereby vested in the Corporation, freed from all trusts heretofore affecting the same, and all debts, liabilities, and engagements lawfully incurred or entered into by the Athenaeum and existing on the passing of this Act shall hereafter be debts, liabilities, and engagements of the Corporation and the Corporation shall pay or discharge the said debts, liabilities, and engagements and shall meet the cost of so doing out of its ordinary revenue.
- (4) All actions of the Athenaeum in administering the said land, and in applying rents derived from leases thereover and income from its investments, towards the maintenance of the Balclutha Public Library, are hereby validated and declared to have been lawful in all respects.
- (5) The Corporation shall expend the net revenue received from the said land and all money received by it under subsection

(3) or derived from property vested in it by that subsection for library purposes.

(6) 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.

(7) The land hereby vested in the Corporation is described as follows:

All those areas in the Otago Land District, being Section 1, Block VI, Warepa Survey District, and Section 16, Block IX, Kuriwao Survey District, containing 600 acres, more or less, and being all the land comprised and described in certificates of title, Volume 61, folios 167 and 168, Otago Registry (SO Plans 751 and 8770).

Section 4(2): amended, on 30 April 1985, by section 5 of the Reserves and Other Lands Disposal Act 1985 (1985 No 70).

5 Change of purpose of the Blueskin Athenaeum and provisions incidental thereto

[Repealed]

Section 5: repealed, on 27 November 1970, by section 4(5) of the Reserves and Other Lands Disposal Act 1970 (1970 No 121).

6 Cancelling the vesting of land held in trust by the Taranaki Harbour Board and declaring that land to be vested in Her Majesty as an addition to the Mount Moturoa Domain

Whereas the land described in subsection (4) was by a memorandum of transfer dated 19 April 1886, and registered as T 3356 in the Land Registry Office at New Plymouth, transferred to and vested in the New Plymouth (now Taranaki) Harbour Board in trust for the construction and maintenance of such docks, piers, and other works as might be deemed advisable by the said Harbour Board for facilitating the trade and commerce of the Town and Port of New Plymouth:

And whereas the said land is not required 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 Mount Moturoa Domain, subject to certain conditions, 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, but subject to the provisions of subsection (2), the vesting in the Taranaki Harbour Board of the land described in subsection (4) 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 Mount Moturoa Domain under the control of the Mount Moturoa Domain Board, but otherwise freed and discharged from all trusts, reservations, or restrictions heretofore affecting the said land.
- (2) Notwithstanding the provisions of subsection (1), the Taranaki Harbour Board shall be entitled at any time, subject to the provisions of the Harbours Act 1950, and any regulations made under that Act, to erect any building, structure, installation, equipment, or appliance on the said land for the purpose, if considered necessary by it, of a navigational aid, and the said Board and any person authorised by it shall at all times have full and free rights of access to any such building, structure, installation, equipment, or appliance.
- (3) 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.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Taranaki Land District, being part Section 811, Grey District (Block IV, Paritutu Survey District), situated in the City of New Plymouth, containing 1 acre 3 roods 34 perches and one-tenth of a perch, more or less, and being

part of the land comprised and described in certificate of title, Volume 144, folio 101, Taranaki Registry: as shown on the plan marked L and S 1/1449A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 9170).

7 Exchange of portion of Kororareka Domain for portion of a public cemetery

Whereas the land described in subsection (3) is portion of an area vested in the Russell Town Board (now the Russell Town Council) in trust as a site for a public cemetery by an Order in Council dated 22 August 1927 and published in the *Gazette* of the 25th day of that month:

And whereas the said land has not been used and is unsuitable for cemetery purposes, but is suitable for development and use for recreation purposes:

And whereas that portion of the Kororareka Domain described in subsection (4) is unsuitable for recreation purposes, but is suitable for cemetery purposes:

And whereas it is in the public interest that the said areas should be exchanged for each other, and it is desirable that provision should be made to effect the exchange:

Be it therefore enacted as follows:

- (1) The vesting in the Russell Town Council in trust as a site for a public cemetery of the land described in subsection (3) is hereby cancelled, and the said land is hereby declared to be a reserve for recreation purposes and to form part of the Kororareka Domain under the control of the Russell Town Council acting as the Kororareka Domain Board under and subject to the provisions of Part 3 of the Reserves and Domains Act 1953.
- (2) The reservation for recreation purposes of that portion of the Kororareka Domain described in subsection (4) is hereby cancelled, and the said land, notwithstanding the provisions of section 60 of the Cemeteries Act 1908, is hereby declared to be a reserve for the purposes of a public cemetery, and to be vested in the Chairman, Councillors, and Citizens of the Town District of Russell in trust for those purposes.

- (3) The land to which subsection (1) relates is described as follows:

All that area in the North Auckland Land District, being part Section 6, Block I, Russell Survey District, containing 4 acres 2 roods 7 perches and four-tenths of a perch, more or less: as shown on the plan marked L and S 2/512A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 41899).

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

All that area in the North Auckland Land District, being Lot 65, DP 16246, being part Old Land Claim 128, situated in Block I, Russell Survey District, containing 4 acres and 13 perches and six-tenths of a perch, more or less: as shown on the plan marked L and S 2/512B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

8 Authorising Gore Borough Council to sell certain land

Whereas by an Order in Council dated 3 October 1927, issued under the provisions of section 36 of the Reserves and Other Lands Disposal Act 1926 and published in the *Gazette* of 6 October 1927, the land described in subsection (4) was vested in the Corporation of the Borough of Gore (in this section referred to as the **Corporation**), in trust, without power of sale, as a municipal endowment:

And whereas the said land is no longer required for that purpose:

And whereas the greater part of the said land is leased as permanent depots for the holding and distribution of oil products:

And whereas it is expedient that the Gore Borough Council (in this section referred to as the **Council**) should be empowered to dispose of the said land and apply the proceeds thereof in the manner hereinafter provided: Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Council may sell the land described in subsection (4), or any part or parts thereof, in such manner, on such terms, and

subject to such conditions, as it thinks fit, and on the sale of any such land all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.

- (2) The net proceeds from the sale of the said land shall be paid into a separate account and shall be applied in or towards the cost of purchasing additional land for public reserves or for the development or improvement of the public reserves from time to time controlled by or vested in the Council or the Corporation, and any money accruing by way of interest on sums so held in trust by the Council shall be used or expended by it for the said purposes heretofore mentioned.
- (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 those areas of land in the Southland Land District, situated in the Borough of Gore, being Lots 1, 2, 16, 17, and 18 on Deposited Plan 2971, being part of Block f, Town Belt Reserve, Town of Gore, containing 1 acre 1 rood 35 perches and two-tenths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 137, folio 30, Southland Registry: as the same is shown on the plan marked L and S 6/1/1118, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue, sepia, and orange (SO Plan 6711).

9 Vesting certain land held by trustees in Her Majesty as an addition to the Tasman Memorial Domain

Whereas, by memorandum of transfer registered in the Land Registry Office at Nelson under Number 13266, the land described in subsection (3), known as the Tasman Recreation Ground (in this section referred to as the **said land**), was transferred to Arthur McKee of Nelson, orchardist, and Frederick Edgar Nottage, Harold Percy Dodson, Herbert Alison Permin, and Edmund Townshend all of Tasman, orchardists, for an es-

tate in fee simple, and those persons (in this section referred to as the **trustees**) held the said land in trust under a Declaration of Trust (in this section referred to as the **said deed**) dated 9 June 1915, and deposited in the Land Registry Office at Nelson under Number 37, as and for a public reserve and recreation ground for the pleasure and benefit of the residents of a district specified in the said deed:

And whereas there are now no trustees in terms of the said deed:

And whereas the said land has not been used or developed for recreation purposes owing to restrictions on its use set out in the said deed:

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

And whereas the Tasman Memorial Domain Board desires to administer and develop the said land for recreation purposes as an addition to the Tasman Memorial Domain:

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

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the land described in subsection (3) is hereby declared to be no longer vested in the trustees, 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 Tasman Memorial Domain under the control of the Tasman Memorial Domain Board, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said land.
- (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 land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, situated in Block I, Moutere Survey District, containing 6 acres, more or less, being Lot 7, DP 564, being part Section 17, District of Moutere

Hills, and being all the land comprised and described in certificate of title, Volume 39, folio 181, Nelson Registry.

10 Authorising the exchange, sale, and other disposition of land in the Borough of Stratford, and provisions incidental thereto

Whereas the land firstly described in subsection (9) is vested in Her Majesty for recreation purposes subject to Part 3 of the Reserves and Domains Act 1953, and forms part of the Stratford Domain under the control of the Stratford Borough Council acting as the Stratford Domain Board:

And whereas the land secondly described in subsections (9) and (10) is vested in the Mayor, Councillors, and Citizens of the Borough of Stratford (in this section referred to as the **Corporation**) as an endowment in aid of municipal funds:

And whereas the land thirdly described in subsection (9) is reserved for municipal purposes:

And whereas the land fourthly described in subsection (9) and the land firstly described in subsection (10) form portions of a legal street known as Ariel Street:

And whereas the land thirdly described in subsection (10) is vested in the Corporation for an estate in fee simple:

And whereas the land fourthly described in subsection (10) was purchased by the Corporation pursuant to section 32 of the Public Works Act 1928 for the purposes of a recreation ground:

And whereas the land fifthly described in subsection (10) was purchased by the Corporation as a site for the quarrying of road metal or other material for road making, and is held subject to certain rights created by a memorandum of transfer registered in the Land Transfer Office at New Plymouth under No 9284:

And whereas the portions of Ariel Street hereinbefore referred to are not required as street, and all the other pieces of land are no longer required for the purposes for which they are held:

And whereas the Corporation desires to acquire an estate in fee simple, freed and discharged from all trusts, reservations, and restrictions, in the land described in subsection (9) in order to effect the sale thereof:

And whereas the Corporation has agreed to the land described in subsection (10) being added to the Stratford Domain, and has also agreed to the proceeds of the sale of the land described in subsection (9) being applied in or towards the maintenance, improvement, development, or extension of the said Stratford Domain:

And whereas it is desirable and expedient to give effect to the aforesaid proposals:

Be it therefore enacted as follows:

- (1) The reservation for recreation purposes of that portion of the Stratford Domain firstly described in subsection (9) is hereby cancelled, and the said land is hereby declared to be no longer part of the said domain.
- (2) The reservation as an endowment in aid of municipal funds of the land secondly described in subsections (9) and (10), and the vesting of the said land in the Corporation in trust for that purpose are hereby cancelled.
- (3) The reservation for municipal purposes of the land thirdly described in subsection (9) is hereby cancelled.
- (4) The portions of Ariel Street fourthly described in subsection (9) and firstly described in subsection (10) are hereby declared to be closed.
- (5) Notwithstanding anything to the contrary in any Act or rule of law, the land described in subsection (9) 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.

- (6) The net proceeds from the sale of the land described in subsection (9) or of any part thereof shall be paid into the Corporation's domain account and applied towards the maintenance, improvement, development, or extension of the Stratford Domain.
- (7) Notwithstanding anything to the contrary in any Act or rule of law, the trusts, reservations, rights, and conditions affecting the land described in subsection (10), save only the rights created by transfer No 9284 in respect of the land fifthly so described, 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 Stratford Domain under the control of the Stratford Borough Council acting as the Stratford Domain Board.
- (8) The District Land Registrar for the Land Registration District of Taranaki 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.
- (9) The land vested in the Corporation for an estate in fee simple by subsection (5) is particularly described as follows:
Firstly, all those areas in the Taranaki Land District, being Sections 542 to 551 (inclusive), 574 to 581 (inclusive), 607 to 619 (inclusive), and 639 to 651 (inclusive), Town of Stratford, containing 11 acres, more or less: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red and green.
Secondly, all those areas in the Taranaki Land District, being Sections 552 to 554 (inclusive) and 584 to 586 (inclusive), Town of Stratford, containing 1 acre 2 roods, more or less, and being part of the land comprised and described in certificate of title, Volume 70, folio 113, Taranaki Registry: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

Thirdly, all those areas in the Taranaki Land District, being Sections 582 and 583, Town of Stratford, containing 2 roods, more or less: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

Fourthly, all that area in the Taranaki Land District, being part Ariel Street, between Romeo Street and Warwick Road, containing 2 acres 1 rood 1 perch and six-tenths of a perch, more or less: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured burnt sienna and hatched green.

- (10) The land vested in Her Majesty as public domain by subsection (7) is particularly described as follows:

Firstly, all that area in the Taranaki Land District, being part Ariel Street, between Regan Street and Fenton Street, containing 2 acres 2 roods 17 perches, more or less: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured burnt sienna and edged yellow.

Secondly, all those areas in the Taranaki Land District, being Sections 34, 35, 77, and 78, Town of Stratford, containing 1 acre, more or less, and being part of the land comprised and described in certificate of title, Volume 70, folio 113, Taranaki Registry: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

Thirdly, all those areas in the Taranaki Land District, being Sections 1024 (certificate of title, Volume 174, folio 83, Taranaki Registry), 1036 to 1038 (inclusive), Town of Stratford, and Sections 125 and 126, Block I, Ngaere Survey District, containing 6 acres 32 perches and fifty-nine one-hundredths of a perch, more or less: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured purple.

Fourthly, all that area in the Taranaki Land District, being Section 508, Town of Stratford, containing 1 rood, more or less,

and being all the land comprised and described in certificate of title, Volume 14, folio 32, Taranaki Registry: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

Fifthly, all that area in the Taranaki Land District, being part Lot 18, DP 3025, being part Section 78, Block II, Ngaere Survey District, containing 4 acres 2 roods 13 perches and six-tenths of a perch, more or less, and being all the land comprised and described in certificate of title, Volume 94, folio 239, subject to certain rights created by Transfer No 9284, Taranaki Registry: as shown on the plan marked L and S 1/350B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

11 Authorising disposition of certain money derived from the operation of the Land Subdivision in Counties Act 1946

Whereas the land described in subsection (2) is known as Bledisloe Park and is vested in the Bledisloe Park Board (in this section referred to as the **Park Board**), a body corporate constituted under the provisions of section 8 of the Maori Purposes Act 1934, for an estate in fee simple as and for a park or pleasure ground:

And whereas it is in the public interest that money held in the Land Settlement Account and derived from the operation of the Land Subdivision in Counties Act 1946 should be paid to the Park Board for the development and improvement of the Park:

And whereas there is no statutory authority enabling this to be done, and it is desirable that provision should be made accordingly:

Be it therefore enacted as follows:

- (1) For the purposes of paragraph (c) of subsection (2) of section 14 of the Land Subdivision in Counties Act 1946 the Park Board shall be deemed to be a public body and the land known as Bledisloe Park shall be deemed to be vested in that body for the purpose of public recreation.

- (2) The land known as Bledisloe Park is particularly described as follows:

All that area in the South Auckland Land District, being Maketu A127 Block, situated in Block I, Otutara Survey District, and Block I, Waihi South Survey District, containing 11 acres 1 rood and 21 perches, more or less: as shown on the plan marked L and S 1/1038, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (ML Plans 15980 and 153082).

12 Effecting a change of purpose of land vested in Rotorua High School Board and providing for application of net revenue derived therefrom

[Repealed]

Section 12: repealed, on 3 October 1995, by section 12(a) of the Reserves and Other Lands Disposal Act 1995 (1995 No 54).

13 Enabling certain land to be added to the Mount Benger Rabbit District

Whereas section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 excluded the land described in subsection (2) of that section from the Mount Benger Rabbit District as there were no rabbits on the said land:

And whereas it has been found that rabbits do now exist on the said land and it is essential that they be exterminated:

And whereas the Mount Benger Rabbit Board wishes to request the Minister of Agriculture to recommend to the Governor-General under section 15 of the Rabbits Act 1955 that the boundaries of the Mount Benger Rabbit District be altered to include the said land:

Be it therefore enacted as follows:

Section 116 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is hereby repealed.

14 Validating a supplementary agreement between the Corporations of the Counties of Waipa and Otorohanga, the City of Hamilton, and the Borough of Te Awamutu

Whereas section 10 of the Reserves and Other Lands Disposal Act 1942 validated a certain agreement (in this section referred to as the **said agreement**) made between the Corporations of the Counties of Waipa, Otorohanga, and Raglan, the City of Hamilton, and the Borough of Te Awamutu:

And whereas the Corporation of the County of Raglan desires to be no longer bound by the said agreement:

And whereas the remaining Corporations have agreed to that Corporation withdrawing from the said agreement:

And whereas the said agreement provided for the appointment of a committee of management and the payment by the Corporations of the costs and expenses of the committee:

And whereas with the withdrawal of the Corporation of the County of Raglan a supplementary agreement (in this section referred to as the **supplementary agreement**) to be effective from and including 15 July 1960 has been executed by the remaining Corporations to cover the future costs and expenses of the committee:

And whereas a copy of the supplementary agreement is deposited in the Head Office of the Department of Lands and Survey, at Wellington, as Auckland Deed Number 5458:

And whereas it is expedient that the supplementary agreement be authorised and validated:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act or rule of law, the supplementary agreement is hereby declared to be and to have always been valid and binding in all respects and of full force and effect according to its tenor, and the parties thereto shall be deemed to have had all powers and authorities necessary to enter into and execute the same and to have had and to possess full power to do all things requisite for the carrying out of the terms and conditions thereof.

15 Vesting certain land in the Corporation of the City of Wanganui for recreation purposes

Whereas, pursuant to the provisions of section 53 of the Wanganui Harbour and River Conservators Board Act 1876, the land described in subsection (2) is vested in Her Majesty as a reserve for the use of the Maori inhabitants of the Town of Wanganui and the neighbourhood as a market place and place for landing and embarking goods and persons and for such other purposes as the Governor-General may from time to time determine:

And whereas for many years the said land has not been used for such purposes but has, with certain adjoining land, been developed and maintained by the Wanganui City Council as an open space:

And whereas, to provide for the more effective future control and management of the said land, it is desirable that it be vested in the Mayor, Councillors, and Citizens of the City of Wanganui (in this section referred to as the **Corporation**) in trust as a recreation reserve subject to the Reserves and Domains Act 1953:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Wanganui Harbour and River Conservators Board Act 1876 or in any other Act or rule of law, the vesting in Her Majesty of the land described in subsection (2) is hereby cancelled and the said land is hereby declared to be vested in the Corporation in trust as a recreation 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 Wellington Land District, being Section 304, Right Bank Wanganui River (City of Wanganui), containing 1 acre 1 rood 33 perches and four-tenths of a perch, more or less: as shown on the plan marked L and S 6/1/1115, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 24768).

16 Authorising the Governor-General to proclaim certain land in the Lake County to be Crown land

Whereas in the Town of Jamestown and in the Survey Districts of Martins Bay, Wilmot, and Hollyford in the Lake County, Otago Land District, certain land has been granted in fee simple, or reserved, or taken up under lease in perpetuity, or taken up under residence-site or business-site or special-site licences issued in terms of the Mining Act 1926:

And whereas many of the owners and licensees are not known, and the land has been abandoned:

And whereas it is in the public interest that the land should be resumed by Her Majesty, but subject to the right of the owners, lessees, and licensees thereof or their beneficiaries or successors in title to claim compensation as hereinafter provided:

And whereas when the land was subdivided various strips of land were laid off as roads:

And whereas most of them have never been used as roads and will not be required as roads in the future:

And whereas it is desirable and expedient that special provision be made to enable the land, together with such roads as are not required, to be vested in Her Majesty as Crown land:

Be it therefore enacted as follows:

- (1) This section relates to all land in the Town of Jamestown and in the Survey Districts of Martins Bay, Wilmot, and Hollyford in respect of which residence-site or business-site or special-site licences under the Mining Act 1926, or Crown grants, or leases in perpetuity under the Land Act 1892 have heretofore been issued, and to all land laid off as roads, whether or not the same have been legalised, in the said Town of Jamestown and in the said Survey Districts, save and except the following:
 - (a) the main road from Long Reef in Martins Bay Survey District to the southern boundary of the Hollyford Survey District; and
 - (b) Camp Street in the Town of Jamestown; and
 - (c) the access road from Camp Street and its extension to the eastern boundary of Section 59, Block II, Martins Bay Survey District.

- (2) The Governor-General may by Proclamation from time to time declare that any land (inclusive of roads, legal or otherwise), or any portion of the land to which this section relates shall, as from a date specified in that behalf in any such Proclamation, be deemed to be vested in Her Majesty as Crown land subject to the provisions of the Land Act 1948, and every such Proclamation shall have effect according to its tenor:
provided that no land shall be taken under this subsection so long as any person who is liable to pay rates on that land continues to pay those rates, except with the consent of that person, and no road or part of a road shall be taken if the effect of the taking would be to deprive any such land of legal access.
- (3) Any roads or portions of roads (legal or otherwise), the subject of any Proclamation under subsection (2) shall, on the issue of the Proclamation, be deemed to be closed, as from the date specified in the Proclamation.
- (4) Before exercising any of the powers conferred on him by this section, the Governor-General shall cause not less than 3 months' notice of his intention so to do to be given in the *Gazette* and in such newspaper or newspapers as he thinks fit.
- (5) The District Land Registrar for the Land Registration District of Otago and the appropriate Mining Registrar are hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) If at any time within 5 years after the date specified in any Proclamation issued under this section the registered proprietor or licensee or any other person having any estate or interest in any land to which the Proclamation relates adduces satisfactory evidence of title to or interest in that land, he shall be entitled to claim compensation for his interest therein. The amount of compensation shall in every case be determined by the Land Settlement Board, and on any such determination, shall, without further appropriation than this section, be paid out of the Land Settlement Account established under the provisions of the Land Act 1948:
provided that in no case shall the amount of compensation awarded under this section exceed the claimant's interest in

the value of the land as determined by the said Board, as at the date specified in the Proclamation affecting the same, together with the value as at that date and as determined by the said Board of any improvements then existing on the land.

17 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 part of the land set apart as permanent State forest land by a Proclamation dated 1 March 1935, and published in the *Gazette* of 7 March of that year at page 581, and being parts of Maraeroa Numbers A 3A and B 2 Blocks, situated in Blocks XIII and XIV, Ranginui Survey District, and Blocks I and II, Hurakia Survey District, containing 2 222 acres 2 roods 10 perches, more or less; and also parts of Maraeroa C Block, situated in Block II, Hurakia Survey District, containing 6 acres 1 rood 3 perches and eight-tenths of a perch, more or less, being all the land comprised and described in certificate of title, Volume 1053, folio 290, Auckland Registry: as shown on the plan marked L and S 36/2460B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 40060).

Secondly, all that area in the South Auckland Land District being part of the land set apart as permanent State forest land by a Proclamation dated 27 September 1935, and published in the *Gazette* of 3 October of that year at page 2735, and being also parts Section 4, Block VII, Tairua Survey District, containing

9 acres 2 roods 18 perches and seven-tenths of a perch, more or less: as shown on the plan marked L and S 10/92/76, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 40074).

Thirdly, all that area in the South Auckland Land District being part of the land set apart as permanent State forest land by a Proclamation dated 19 January 1925, and published in the *Gazette* of the 23rd day of that month at page 155, and being parts Whaiti Kuranui 5B Block, situated in Block IV, Tapapa East Survey District, containing 39 acres and 35 perches, more or less: as shown on the plan marked L and S 22/748/29A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 40216).

Fourthly, all that area in the Wellington Land District, being Section 6 (formerly part Waimarino Defence Training Ground), Block XIV, Tongariro Survey District, containing 150 acres, more or less: as shown on the plan marked L and S 9/3650, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 24200).

Fifthly, all that area in the Westland Land District, being Reserve 1975, situated in Block I, Poerua Survey District, containing 12 acres 3 roods 4 perches, more or less: as shown on the plan marked L and S 4/681B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 4696).

Sixthly, all that area in the Westland Land District, being part Reserve 1462, situated in Blocks V and IX, Kaniere Survey District, containing 684 acres and 5 perches, more or less: as shown on the plan marked L and S 36/2491B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 4845).

Seventhly, all that area in the Westland Land District, being parts Reserve 1957, situated in Block V, Mawheraiti Survey District, and Block VIII, Waiwhero Survey District, containing a total area of 95 acres 1 rood 3 perches, more or less: as shown on the plan marked L and S 10/98/80I, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 5021).

Eighthly, all that area in the Canterbury Land District, being part Reserve 4515, situated in Block II, Lyndon Survey District, containing 66 acres and 3 roods, more or less: as shown on the plan marked L and S 8/5/3A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 9633).

Ninthly, all that area in the South Auckland Land District, being part Section 6, Block VIII, Maramarua Survey District, containing 33 acres 3 roods 19 perches, more or less: as shown on the plan marked L and S 10/92/34A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 40606).

Tenthly, all those areas in the South Auckland Land District, being part Paeroa 3A and 4A Blocks, situated in Blocks XV and XVI, Paeroa Survey District; Block XIII, Kaingaroa Survey District; Blocks III and IV, Takapau Survey District; and Block I, Wheao Survey District, containing 12 000 acres, more or less, and being all the land comprised and described in certificate of title, Volume 460, folio 186, Auckland Registry: and also being part Lot 3, DP 20886, situated in Blocks I and V, Wheao Survey District, containing 185 acres, more or less, being part of the land comprised and described in certificate of title, Volume 702, folio 18, Auckland Registry: and also Paeroa East 3C Block, situated in Blocks IV and VIII, Takapau Survey District, and Blocks I and V, Wheao Survey District, containing 743 acres, more or less; and also part Run 59 situated in Blocks III and IV, Takapau Survey District, containing 93 acres 2 roods 25 perches, more or less; and also part Section 1, Block I, and Section I, Block V, Wheao Survey District, containing 9 acres 1 rood 15 perches, more or less: as shown on the plan marked L and S 36/1386A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 40588).

18 Vesting certain land in the University of Otago as an addition to an endowment

Whereas, by the Otago University Reserves Vesting Act 1893, an area of 100 000 acres of land known as the Benmore Runs

was vested in the University of Otago (in this section referred to as the **University**) as an endowment for the University:

And whereas by a Proclamation taking effect on and after 12 August 1957, dated 1 August 1957, and published in the *Gazette* of the eighth day of that month, that portion of the endowment firstly described in subsection (3) (in this section referred to as the **said land**) was taken for employees' houses and vested in the Benmore Rabbit Board:

And whereas by the said Proclamation an easement vesting in the Board a right of way appurtenant to the said land was taken over that portion of the endowment secondly described in subsection (3):

And whereas the Board no longer requires the said land and right of way, and by a Proclamation dated 7 September 1960, and published in the *Gazette* of the 15th day of that month, both areas were declared to be Crown land subject to the Land Act 1948:

And whereas for the better utilisation thereof it is desirable that both areas should be again included in the surrounding endowment:

And whereas the Council of the University has agreed to such inclusion:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby vested in the University as a reserve for an endowment for the University and is hereby declared to be subject to the provisions of the Otago University Reserves Vesting Act 1893 and the Otago University Reserves Act 1904.
- (2) The District Land Registrar for the Otago Land Registration District shall deposit such plans, accept such documents for registration, and do all such other things as may be necessary to give effect to the provisions of this section and shall, on the application of the University, issue a certificate of title for the said land.
- (3) The land to which this section relates is more particularly described as follows:

Firstly, all that area in the Otago Land District, being part Section 4, Block XVI, Benmore Survey District, containing 1 rood

13 perches, more or less: as shown on the plan marked L and S 8/9/331A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red (SO Plan 11949).

Secondly, all that area in the Otago Land District, being part Section 4, Block XVI, Benmore Survey District, containing 7 acres and 21 perches and one-tenth of a perch, more or less: as shown on the plan marked L and S 8/9/331B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow and edged red (SO Plan 11949).

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Notes

1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1960. The reprint incorporates all the amendments to the Act as at 3 October 1995, 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 1995 (1995 No 54): section 12(a)

Reserves and Other Lands Disposal Act 1985 (1985 No 70): section 5

Reserves and Other Lands Disposal Act 1970 (1970 No 121): section 4(5)
