

Reprint
as at 23 September 2015

**Reserves and other Lands Sale, Disposal, and Enabling
and Public Bodies Empowering Act 1901**

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Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by Land Information New Zealand.

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An Act to make Provision for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, and Endowments, and to confer certain Powers on certain Public Bodies.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

The Short Title of this Act is The Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act 1901.

2 Part of reserve, Otamatea Survey District, declared Crown land

Whereas the western portion of section numbered 31, Block XVI, Otamatea Survey District, Land District of Auckland, containing by admeasurement twenty-eight acres and twenty-four perches, is part of a reserve for a **resting-place for travelling stock**, and is in the occupation of one Mrs Annie Scott, under an alleged arrangement with the original Maori owners: And whereas the said land is not required for the purpose for which it was reserved, because the remaining portion of the reserve is sufficient, and it is, moreover, entirely detached therefrom: Be it therefore enacted as follows:—

The said land is hereby declared to be Crown land available for sale, lease, or disposal under the Land Act 1948, and its amendments, but the Auckland Land Board may at its discretion sell or lease the whole or any portion of it to Mrs Annie Scott upon such terms, not inconsistent with the said Act, as it thinks fit.

The Land Act 1892 (1892 No 37) was consolidated, as from 4 August 1908, by section 1(2) Land Act 1908 (1908 No 94). That Act was in turn repealed, as from 1 January 1925, by section 390 Land Act 1924 (1924 No 31). That Act was in turn repealed, as from 1 April 1949, by section 185(1) Land Act 1948 (1948 No 64).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

3 School-site, Parish of Mata

Whereas section numbered 7A, Parish of Mata, Land District of Auckland, containing by admeasurement nine acres three roods and thirty-seven perches,

was promised to the Auckland Education Board as a school-site, but was included in a grant of land to the Whangarei Harbour Board by section four of The Reserves Disposal and Exchange Act 1895: And whereas a school has been erected upon the land, and the Whangarei Harbour Board has consented to the transfer of the land to the Education Board: Be it therefore enacted as follows:—

The Whangarei Harbour Board may transfer its interest in section numbered 7A, Parish of Mata, Land District of Auckland, containing by admeasurement nine acres three roods thirty-seven perches, to the Auckland Education Board, to be held by the Board in fee-simple in trust as a site for a public school.

4 Borough of Grey Lynn boundaries extended

The Borough of Grey Lynn is hereby extended to include all that area in the Land District of Auckland, containing by admeasurement about twenty-two acres, situated in the Waitemata Survey District, below high-water mark of the sea. Bounded towards the north, east, and south generally by high-water mark of Cox's Creek; and towards the north-west by the road and bridge across the said Cox's Creek.

5 Reservation of school-site, Parish of Waipipi, cancelled

Whereas Lot 37 of Section 4, Parish of Waipipi, containing by admeasurement five acres, more or less, is an education reserve, and, as other land has been set apart for a public-school site, it is no longer wanted for the purpose: Be it therefore enacted as follows:—

The reservation of lot numbered 37 aforesaid as a school-site is hereby cancelled, and it is hereby resumed as Crown land, and the Governor may dispose of the land in such a manner as he may deem desirable or necessary.

6 Power to sell part of road reserve to John Kelly, Awakino

The Auckland Land Board may sell to John Kelly, of Awakino, a portion of a road reserve on the bank of a stream adjoining his land at Awakino, not exceeding in area one acre two roods, at a price to be fixed by the Board: Provided, however, that the Board shall be satisfied that the said John Kelly has no suitable site on his own land for a homestead, and that no injury will accrue to the public by reason of the sale of the reserve.

7 Power to John Elliot to obtain fresh lease of land, Awakino

Whereas John Elliot is the present holder of a lease of seven hundred and seventy-two acres of land, being part of Section 2 of Block V, Awakino District, for the term of twenty-five years, with a right of purchase at one dollar an acre: And whereas the said land was (with other land) included in a prior lease held by his son Ambrose Elliot for a period of thirty years, with a right of purchase at seventy-five cents an acre: And whereas the prior lease was cancelled by the Auckland Land Board by reason of a technical informality in the application

therefor: And whereas the purchasing-price of the present lease was fixed at one dollar an acre: And whereas it is equitable that the said John Elliot should be placed in the same position as that held by his son: Be it therefore enacted as follows:—

The said John Elliot shall be entitled to surrender the present lease and obtain from the Auckland Land Board a fresh lease of the land, for the same term and subject to the same conditions as the present lease, save that there shall be a right of purchase at the rate of seventy-five cents an acre, and that the rental shall be computed on that basis; and the said Board is hereby empowered and directed to accept such surrender and grant such fresh lease accordingly.

The expressions “one dollar” and “seventy-five cents” were substituted, as from 10 July 1967, for the expressions “ten shillings” and “seven shillings and sixpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

8 Site for Wesleyan Methodist Church, Paeroa

Whereas sections numbered 8, 9, 10, and 11, of Block G1, fronting Normanby and Arney Streets, in the Town of Paeroa, Land District of Auckland, containing by admeasurement one rood eighteen perches, or thereabouts, were granted by the Maori owners to the Wesleyan Methodist Church, in or about the year one thousand eight hundred and eighty, which body has erected a church thereon; but such land was afterwards demised by the Maori, with other land, ultimately to Messrs Cassrells and Bennett, who, recognising the right of the Wesleyan Methodist Church, granted a sublease of the land to that body at a peppercorn rent, which sublease will terminate on the first day of February, one thousand nine hundred and ten: And whereas the fee-simple of the land is now in His Majesty, to whom also Messrs Cassrells and Bennett have surrendered their interests therein, and it is desirable that a permanent title should be issued in accordance with the original intention of the Maori owners: Be it therefore enacted as follows:—

The Governor may grant in fee-simple the said land to the trustees of the Wesleyan Methodist Church at Paeroa, to be held by them upon the trusts set forth in the Wesleyan Methodists’ Model Deed of New Zealand, one thousand eight hundred and eighty-seven, mentioned in section three of The Wesleyan Methodist Church Property Trust Act 1887.

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

9 Authorising the issue of a title to Jonathan Swarbrick for land in Te Puke Block

Whereas by an Order in Council issued on the twenty-seventh January, one thousand eight hundred and eighty, special terms and conditions for the disposal of the Te Puke Block were made, providing that George Vesey Stewart, as selector of the said block, was to introduce two hundred adult immigrants, to whom land orders were to be issued countersigned by the Agent-General in

London; the selector and the settler or immigrant were to be jointly responsible for the fulfilment of certain conditions of settlement (which were that forty dwellinghouses were to be erected within twelve months, that each settler was to continuously reside on his holding until the first day of January, one thousand eight hundred and eighty-six, and cultivate one-fifth of his land), and that on the completion of the purchase by any settler he would be entitled to a grant: And whereas Jonathan Swarbrick was accepted as a settler of forty acres of the block, and selected Section No 4, Block IX, Maketu Survey District, but failed to comply with the specified conditions within the time required, and the fulfilment of such conditions was, by instructions of the Government, waived, but without due authority of law: Be it therefore enacted as follows:—

Notwithstanding anything contained in the said Order in Council, or agreement, or otherwise, the Governor may, by warrant, direct that a certificate of title may be issued to the said Jonathan Swarbrick for the said section of land.

10 Power to grant land to WM de Rune Barclay in lieu of that selected in Te Puke Block

[Repealed]

Section 10 was repealed, as from 3 December 1910, by section 14 Reserves and other Lands Disposal and Public Bodies Empowering Act 1910 (1910 No 80).

11 Site for Anglican Church, Town of Richmond

[Repealed]

Section 11 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

12 Transfer of the Agricultural College and Model Farm, Waikato, from the country to the Crown

[Repealed]

Section 12 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

13 Power to sell agricultural and pastoral society's show-ground at Pukekohe

Whereas section numbered 125 of suburban section numbered 1 of the Parish of Pukekohe, in the Land District of Auckland, containing four acres three roods twenty-four perches, was reserved for an agricultural and pastoral society's show-ground by Warrant published in the *Gazette* of the twenty-ninth day of November, one thousand eight hundred and ninety-four, and it is no longer suitable for such show-ground: Be it therefore enacted as follows:—

The said land may be sold, and the proceeds of such sale used to purchase or to assist in purchasing parts of sections numbered 111, 112, 113, and 121, of section numbered 1 of the said parish: Provided, however, that if at any time the society ceases to exist, the Governor may demand the repayment of the amount of the proceeds of the sale of the aforesaid section numbered 125.

14 Power to extend leases in the thermal-springs districts

[Repealed]

Sections 14, 15, 48 and Schedule 11 were repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

15 Power to lease right to take water from mineral springs

[Repealed]

Sections 14, 15, 48 and Schedule 11 were repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

16 Site for Gisborne Harbour Board offices

[Repealed]

Sections 16 to 18 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

17 Transfer of mechanics' institute and library site at Waitara to the Waitara Town Board

[Repealed]

Sections 16 to 18 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

18 E Newing and DJ Hughes, of Manaia, may obtain renewal of their leases of educational lands

[Repealed]

Sections 16 to 18 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

19 Land, Paritutu Survey District, may be taken for scenery-preservation

Whereas the land described in Schedule 3 hereto, situate in the Paritutu Survey District, Land District of Taranaki, is private property, and forms a portion of the Honeyfield Estate: And whereas the northern portion of Lake Rotokari is included therein, and it is desirable to preserve the same for its beauty and scenic attractions: Be it therefore enacted as follows:—

The Minister of Lands may take, under the provisions of the Public Works Act 1981, the land described in Schedule 3 hereto for scenery-preservation and recreation purposes in the same manner as land may be taken for a public work.

The Public Works Act 1894 (1894 No 42) was repealed, as from 31 October 1905, by section 2 Public Works Compilation Act 1905 (1905 No 53). Appendix B of the repealing Act replaced the 1894 Act with a compiled Act enacted under the title of The Public Works Act 1905. That Act was in turn consolidated, as from 4 August 1908, by section 1(2) Public Works Act 1908 (1908 No 160). That Act was in turn repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

20 Rotokari Lake reserved for scenery-preservation

[Repealed]

Sections 20 to 22 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

21 Historic reserve vested in Hawera Borough

[Repealed]

Sections 20 to 22 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

22 Reserve at Pihama changed to a Town Hall site, and may be granted to trustees or a local body

[Repealed]

Sections 20 to 22 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

23 Power to sell rifle range, Wanganui, and purchase fresh one

Whereas, pursuant to the provision in that behalf contained in The Special Powers and Contracts Act 1884, the parcel of land described in Schedule 5 hereto was vested in five trustees upon trust, to be used as a rifle range for Volunteers: And whereas of the original trustees less than all are now surviving: And whereas it is expedient to make other provisions in the premises: Be it therefore enacted as follows:—

- (1) With the consent of the Governor (to be evidenced by notice in the *Gazette*) the said surviving trustees may sell the said parcel of land for such price as the Governor approves, and may transfer the land to the purchaser.
- (2) The instrument of transfer, when executed by the said surviving trustees, shall be valid and effectual for the purpose of transferring the said parcel of land to the purchaser for an estate in fee-simple, freed and discharged from all trusts affecting the same.
- (3) The said trustees shall deposit the purchase-money with the Public Trustee, and the same, with all accumulations of interest, shall be held and applied in manner following, that is to say,—

First, in the purchase of a suitable parcel of land for a fresh rifle range for the use of the Volunteers, the land to be purchased and the amount of the purchase-money to be paid therefor being subject to the approval of the Governor;

Second, as to the residue remaining after completing such purchase, in maintaining and improving the said land as a rifle range for the use of the Volunteers.
- (4) The land so purchased shall be vested in trustees, to be appointed from time to time by the Governor, or to be elected from time to time as provided by regulations hereunder.
- (5) The Governor may from time to time make regulations—

- (a) For the appointment or election of trustees;
- (b) For defining the functions and powers of the trustees;
- (c) For the management and control of the rifle range to be purchased as aforesaid;
- (d) For the mode in which the moneys to be deposited as aforesaid with the Public Trustee shall be disposed of;
- (e) Generally for such other purpose as he deems necessary in order to give full effect to the provisions of this section.

24 Reserve for Borough of Dannevirke

Whereas sections numbered 25 and 26 of Block VI, in the Town of Dannevirke, containing by admeasurement one acre and a half, or thereabouts, are gravel reserves; but, as the gravel has been removed therefrom, and stagnant water gathers on the land, and it is otherwise unsafe, the Borough Council desires to be allowed to dispose of it: Be it therefore enacted as follows:—

Sections numbered 25 and 26 aforesaid are hereby vested in the Corporation of the Borough of Dannevirke for an estate in fee-simple, and the Borough Council may lease such lands on such terms as it thinks fit.

25 Exchange of sections between Borough of Dannevirke and Education Board

Whereas it has been agreed between the Borough Council of Dannevirke and the Education Board of Hawke's Bay that sections numbered 6 and 7 of Block II, Town of Dannevirke, containing by admeasurement two roods four perches, shall be conveyed by the Council to the Board, and that the Board shall convey to the Council in exchange therefor sections numbered 40 and 41 of Block IV, Town of Dannevirke, containing by admeasurement three roods and twenty-two and three-tenths perches; but legal difficulties have arisen, and the Council is therefore unable to carry out its part of the agreement: Be it therefore enacted as follows:—

The Corporation of the Borough of Dannevirke is hereby empowered to convey to the Education Board of Hawke's Bay, for school purposes, sections numbered 6 and 7 of Block II, Town of Dannevirke: And the Education Board of Hawke's Bay is hereby empowered to convey, for municipal purposes, to the Corporation of the Borough of Dannevirke, sections numbered 40 and 41, of Block IV, Town of Dannevirke, containing by admeasurement three roods and twenty-two and three-tenths perches.

26 Site for public library, Mangaweka

[Repealed]

Section 26 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

27 Exchange of sites for post-office and mechanics' institute, Shannon

Whereas a section of land in the Township of Shannon, numbered 232, was set apart as a reserve for a mechanics' institute and athenaeum by section eight of The Reserves Disposal and Exchange Act 1895, but the land is now required for postal purposes: And whereas section numbered 225 of the same township was reserved as a site for public buildings, and it is desirable that it should be exchanged for Section 232 aforesaid: Be it therefore enacted as follows:—

Section numbered 232 of the Township of Shannon is hereby set apart as a site for a post-and-telegraph office, and Section 225 of the said township is hereby set apart as a site for a mechanics' institute and athenaeum, and the purpose for which each of these sections may have been previously reserved or set apart is hereby cancelled.

28 Power to lease site to Waione Cooperative Dairy Company

[Repealed]

Section 28 was repealed, as from 29 October 1906, by section 20(2) Reserves and other Lands Disposal and Public Bodies Empowering Act 1906 (1906 No 60).

29 Site for a teacher's residence, Denniston

[Repealed]

Section 29 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

30 Power to grant land selected under Immigrants Land Act to John Brazil

[Repealed]

Section 30 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

31 Land in Blenheim declared a municipal endowment

Sections numbered 88, 89, 90, and 91, of the Town of Blenheim, containing one acre two roods, which were acquired for the purpose of constructing a railway *via* Taylor's Pass, are no longer required for that purpose, and are hereby declared to be vested in the Corporation of the Borough of Blenheim for an estate in fee-simple, in trust, without power of sale, as a municipal endowment.

32 Warden may reduce rents, Town of Ross

Whereas certain sections of land in the Town of Ross, Land District of Westland, have been let on lease for a term of twenty-one years, with a right of renewal for a similar term, in pursuance of clause nine of Appendix F of The Land Act 1885, and subject to regulations published in the *Gazette* of the fourteenth October, one thousand eight hundred and eighty-six, and it is affirmed that such rents are excessive owing to the decrease in business in the town: Be it therefore enacted as follows:—

The Warden may, in any case where he is of opinion that the rent of land leased from the Crown in the Town of Ross is excessive, reduce the same: Provided that the rent shall not in any case be reduced below fifty cents per section per annum; and such reduction shall apply to the leases affected thereby and to any renewal of the same, in pursuance of the regulations hereinbefore mentioned.

The expression “fifty cents” was substituted, as from 10 July 1967, for the expression “five shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

33 Site for Anglican Church, Rimu

Whereas the parcel of land described in Schedule 7 hereto is at present held as a residence-site under the Mining Acts, but is being used as a site for a Church of England church, and no other suitable site for such church is available: Be it therefore enacted as follows:—

- (1) With the consent of the present holder of the said site, and upon his surrendering his title thereto, the Governor may sell the said site to, and may vest the same in, the Bishop for the time being of the Church of England of the Diocese of Christchurch, for an estate in fee-simple, to be used by him and his successors in trust for the purposes of the Church of England.
- (2) The sale shall be at such price as is fixed by the Warden, and the proceeds of the sale shall be deemed to be gold-fields revenue, and applied accordingly.

34 Reserve for recreation, Sumner

The Governor may grant to the Corporation of the Borough of Sumner in trust for an estate in fee-simple, without power of sale or lease, as a reserve for recreation purposes, the land described in Schedule 8 hereto, subject to the condition that should the Lyttelton Harbour Board or any other Harbour Board at any time require the aforesaid strip of foreshore for harbour or harbour-works purposes they shall have the right to enter upon, occupy, and use the same without having to pay any compensation for so doing.

35 Reserves granted to South Rakaia Road Board

[Repealed]

Section 35 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

36 Water-race vested in Selwyn County

Whereas by Proclamation under section thirteen of The Land Act 1892, published in the *Gazette*, one thousand eight hundred and ninety-four, page four hundred and fifty-four, parts of Blocks II, III, VII, VIII, and XII, Hawkins Survey District, Land District of Canterbury, were proclaimed a road, with the exception of a strip of land (one chain wide) excluded therefrom, which was declared to be a water-race, by Proclamation dated the twenty-fifth day of April, one thousand eight hundred and eighty-eight: And whereas the Selwyn County Council has, under the powers conferred by the Public Works Act 1981, closed

a portion of the said road—namely, a strip eighty-five links wide along the southern boundary of the said road—leaving a strip of fifteen links next to the water-race hereinbefore referred to: And whereas it is desirable to add the said strip of fifteen links width to the waterrace reserve: Be it therefore enacted as follows:—

The Governor is hereby empowered by Proclamation to declare that the said strip of land fifteen links wide is a water-race, and to vest it in trust for such purpose in the Corporation of the Selwyn County.

The Public Works Act 1894 (1894 No 42) was repealed, as from 31 October 1905, by section 2 Public Works Compilation Act 1905 (1905 No 53). Appendix B of the repealing Act replaced the 1894 Act with a compiled Act enacted under the title of The Public Works Act 1905. That Act was in turn consolidated, as from 4 August 1908, by section 1(2) Public Works Act 1908 (1908 No 160). That Act was in turn repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

37 School-site, Orari, may be conveyed by Mount Peel Road Board

Whereas reserve numbered 1484 in Block V, Orari Survey District, Land District of Canterbury, was set apart as a gravel-pit, and it has been vested in the Mount Peel Road Board, who have granted two acres of the same to the South Canterbury Board of Education as a school-site, but there is no power to alter the purpose of the reservation or to vest the land in the Education Board: Be it therefore enacted as follows:—

The Mount Peel Road Board may convey two acres of reserve numbered 1484 aforesaid to the South Canterbury Board of Education, in trust as a school-site, and thereupon the reservation of such land for a gravel-pit shall cease.

38 Reserve at Rakaia changed from a gravel-pit to a public domain

Whereas reserve numbered 2223, in the Canterbury Land District, Rakaia Survey District, containing by admeasurement five acres, was set apart for a gravel-pit and vested in the Ashburton County Council: And whereas the whole of the reserve is not required for gravel: Be it therefore enacted as follows:—

The Governor is hereby empowered to change the purpose of four acres of reserve numbered 2223 as aforesaid from a gravel-pit to a public domain.

39 Purpose of Reserve No 120, Canterbury, changed from a domain to night-soil-depot and gravel-pit

Whereas reserve numbered 120, containing fifty acres, in the Mandeville District, Land District of Canterbury, is a public domain, declared to be subject to Reserves Act 1977 by an Order in Council of the fifteenth day of December, one thousand eight hundred and eighty-four, and the powers of the Governor under the said Act were delegated to the Borough of Kaiapoi as the Kaiapoi Domain Board by an Order in Council of the fifteenth day of December, one thousand eight hundred and eighty-four: And whereas it is desirable to change

the purpose of the reserve from a public domain to a reserve for a nightsoil-depot and gravel-pit: Be it therefore enacted as follows:—

The Governor may, by notice in the *Gazette*, change the purpose of the said reserve numbered 120 from a public domain to a night-soil-depot and gravel-pit, and may grant the same to the Corporation of the Borough of Kaiapoi in trust as a reserve for the said purposes of a nightsoil-depot and gravel-pit.

The Public Domains Act 1881 (1881 No 15) was substituted, as from 4 August 1908 pursuant to section 1(2) Public Reserves and Domains Act 1908 (1908 No 156). That reference was in turn substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

40 Endowment for Oamaru Borough

[Repealed]

Section 40 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

41 Power to lease part of Maheno Domain to Taieri and Peninsula Milk-supply Company

Whereas the Taieri and Peninsula Milk-supply Company (Limited) wish to establish a creamery at Maheno, and for that purpose to lease two acres of the Maheno Domain; and the Maheno Domain Board is anxious for the company to acquire the land, but there is no power to allow the company to erect buildings, lay drains, or carry on its business on the land: Be it therefore enacted as follows:—

The Governor may, at the request of the Maheno Domain Board, in the manner set forth in Reserves Act 1977 grant a lease to the Taieri and Peninsula Milk-supply Company, for a period of twenty-one years, of two acres of the Maheno Domain, being part of Section 2 of Section 22, Block VII, Oamaru Survey District, Land District of Otago, with the right to the company to erect buildings, lay drains, and to carry on its business on the land, and with the right also to the said company to remove its buildings or other improvements at the termination of the lease.

The Public Domains Act 1881 (1881 No 15) was substituted, as from 4 August 1908 pursuant to section 1(2) Public Reserves and Domains Act 1908 (1908 No 156). That reference was in turn substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

42 School-site, Waiareka, revested in Governors of Waitaki Boys' and Girls' High Schools

Whereas, on or about the twenty-second day of March, one thousand eight hundred and ninety-five, the Board of Governors of the Waitaki Boys' and Girls' High Schools, in exercise of the powers and authorities vested in it by The Education Reserves Act Amendment Act 1882, appropriated and set apart the piece of land described in Schedule 9 hereto as a site for a public school: And whereas the said piece of land is not now required for a public school: Be it therefore enacted as follows:—

The appropriation and setting-apart of the said piece of land as a site for a public school as aforesaid is hereby cancelled, and the said piece of land is hereby revested in the said Board of Governors for the purposes for which the same was held prior to such appropriation and setting-apart.

43 Hospital Reserve at Arrow transferred to Arrow Hospital Trustees in trust

Section numbered 2, block numbered 33, Arrowtown, containing three acres, is hereby transferred to the Arrow Hospital Trustees in trust for the purposes of a hospital, and buildings connected therewith, freed from the trust under which it is now held by the Corporation of the Borough of Arrowtown; and the District Land Registrar shall register the transfer without fee on presentation of a copy of this Act.

44 Hospital Reserve at Cromwell to be granted to Cromwell District Hospital Trustees

Whereas sections numbered 1 to 14, Block XVIII, Town of Cromwell, containing by admeasurement two acres three roods eight perches, was granted to the Superintendent of Otago on the ninth day of June, one thousand eight hundred and seventy-five, in trust for hospital purposes: And whereas it is desirable to grant the said land to the Cromwell District Hospital Trustees for the same purposes: Be it therefore enacted as follows:—

The Governor may grant the aforesaid sections to the Cromwell District Hospital Trustees as an estate in fee-simple upon trust for hospital purposes.

45 Grant to Port Chalmers Borough Corporation of land in Port Chalmers

[Repealed]

Section 45: repealed, on 23 September 2015, by section 29 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

46 Endowment for Winton Athenaeum

The Governor may grant to any local authority or to any society duly incorporated for the purpose, under Libraries and Mechanics' Institutes Act 1908 section numbered 48 of Block VIII, Winton Hundred, Land District of Southland, containing by admeasurement one hundred and ten acres or thereabouts, for an estate in fee simple, in trust, without power of sale, as an endowment for the

Winton Athenaeum: Provided, however, that there shall be reserved to the Governor power to resume the land in the event of the Athenaeum not being satisfactorily conducted in the public interest; the Governor to be sole judge as to whether or not it is satisfactorily conducted.

The Public Libraries Powers Act 1875 was consolidated, as from 4 August 1908, by section 1(2) Libraries and Mechanics' Institutes Act 1908 (1908 No 103).

47 Wallace County Council quarry reserve

[Repealed]

Section 47 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

48 Validation Court may inquire into and validate certain dealings

[Repealed]

Sections 14, 15, 48 and Schedule 11 were repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

49 Show-ground for agricultural and pastoral purposes, Auckland

[Repealed]

Section 49 was repealed, as from 29 October 1906, by section 6(b) Reserves and other Lands Disposal and Public Bodies Empowering Act 1906 (1906 No 60).

50 Certificate of title may be issued to George Taylor for Lot 48, Small Farms, Panmure

[Repealed]

Section 50 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

51 Site for Presbyterian church, Village of Torea

[Repealed]

Section 51 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

52 Extended powers of the Auckland Grammar School Board

Whereas the Auckland Grammar School Board, under section ten of the Public Bodies Leases Act 1969 reduced the rent payable by the lessee of the Exchange Hotel in Parnell, and the period of reduction has expired: And whereas it is expedient that such reduction should continue: Be it therefore enacted as follows:—

- (1) The said Board is hereby empowered to reduce or increase the rent of the said hotel from the expiry of the reduction-period as it thinks fit to arrange with the lessee.
- (2) The said Board is also empowered out of its general funds to pay to its members their reasonable travelling-expenses in attending the meetings of the

Board, the expenses to be paid according to a scale to be approved by the Governor.

The Public Bodies Powers Act 1887 was repealed, as from 4 August 1908, by section 1(2) Public Bodies Leasing-powers Act 1908 (1908 No 153). That Act was in turn repealed, as from 1 January 1909, by section 14(1) Public Bodies Leases Act 1908 (1908 No 240). That Act was in turn repealed, as from 1 January 1970, by section 28(a) Public Bodies Leases Act 1969 (1969 No 141).

53 Grant of homestead section, Parish of Tauhoa, to Boler family

[Repealed]

Sections 53 to 55 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

The Public Bodies Powers Act 1887 was repealed, as from 4 August 1908, by section 1(2) Public Bodies Leasing-powers Act 1908 (1908 No 153). That Act was in turn repealed, as from 1 January 1909, by section 14(1) Public Bodies Leases Act 1908 (1908 No 240). That Act was in turn repealed, as from 1 January 1970, by section 28(a) Public Bodies Leases Act 1969 (1969 No 141).

54 Grants to issue to G Boritt and T J Pearce on certain conditions

[Repealed]

Sections 53 to 55 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

55 Recreation-ground, Lyttelton

[Repealed]

Sections 53 to 55 were repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

56 Application of domain rents, Napier

All such rents derived and to be derived by the Napier Borough Council from the Meeanee and Papakura Domains, situate in the Provincial District of Hawke's Bay, as are not actually from time to time expended under section seven of The Public Domains Act 1881, may be applied and administered by the said Napier Borough Council upon the improvements of the Botanical Gardens and other public gardens and public reserves within the Borough of Napier.

57 Public buildings reserve at Carterton changed to a municipal reserve

[Repealed]

Section 57 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

58 Relief to the late Harry Slade's family

[Repealed]

Section 58 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

59 Allotments Nos 16, 17, and 18, Block VI, Aohanga Survey District

Whereas the Crown tenants of Allotments Nos 16, 17, and 18, Block VI, in the Aohanga Survey District, became tenants under the mistake that the public road known as the Wai-o-waka Road was wholly situated on the side of the stream opposite to these allotments: And whereas this road exists on both sides of the stream: Be it therefore enacted as follows:

That so much of the said road as exists between the said allotments and such stream is hereby declared closed, and the land thereof is hereby declared to be Crown land.

60 Execution of deeds to give effect to Act

All deeds and instruments of assurance necessary for the purpose of giving effect to the exchanges and other dispositions of land authorised or declared by this Act may be executed by the bodies or persons respectively concerned.

Schedule 1**Model farm at Kirikiriroa**

Section 12

ALL that piece or parcel of land, containing by admeasurement 137 acres, situated in the Land District of Auckland, Komakorau Survey District, and being Section No 223A of the Parish of Kirikiriroa. Bounded towards the north by Section No 304 of the Parish of Kirikiriroa aforesaid, 4870 links: towards the north-east by a road 150 links wide, 2625 links: towards the south-east generally by a road 100 links wide, 2760 and 1700 links; by Sections Nos 45 and 46 of the Hamilton Town Belt, 1174 links; by Section No 46 of the Hamilton Town Belt aforesaid; by the termination of a road 150 links wide; and by a reserve of the Hamilton Township, 2950 links: and towards the north-west by a road 100 links wide, 2873 links: be all the aforesaid linkages more or less.

Schedule 2**Site for Harbour Board offices, Gisborne**

Section 16

ALL that piece or parcel of land situate in the Borough of Gisborne, and containing by admeasurement 18 perches, more or less, commencing at the south side of Nesbitt Road at its junction with Read's Quay. Bounded towards the east by Read's Quay, 119.7 links; thence towards the south by the Waikanae Blocks, 189.7 links; and thence towards the north by Nesbitt Road, 208 links, to point of commencement: be all the aforesaid linkages a little more or less.

Schedule 3

Reserve for scenery-preservation and recreation, Paritutu Survey District

Section 19

ALL that parcel of land in the Land District of Taranaki, containing by admeasurement 14 acres, more or less, being parts of Barrett's Reserves **D** and **C**, situated in Block VIII, Paritutu Survey District. Bounded towards the west by Barrett Road from the north-western boundary-line of Maori Reserve No 5 (Ratapihipihi), 108.9 links; thence towards the north-west by the other part of Barrett's Reserve D, 458.9 links and 1334.3 links, to a point on the north-eastern boundary-line of the said Barrett's Reserve D distant 814.9 links from its easternmost corner, measured along the said north-eastern boundary-line; thence towards the north generally by the other part of Barrett's Reserve C, 759.9 links and 1140.6 links, to the north-western boundary-line of Maori Reserve No 2 (Arapepe); and thence towards the south-east by the said Maori Reserve No 2 and Maori Reserve No 5 aforesaid to the place of commencement: as the same is delineated on the plan marked S G 47710, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Land District of Wellington.

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

Schedule 4

Section 20

ALL that area in the Land District of Taranaki, containing by admeasurement 48 acres, more or less, being part of Maori Reserve No 2 (Arapepe), situated in Block VIII, Paritutu Survey District. Bounded towards the north-west by Barrett's Reserve C and a public road; towards the east generally by the Mangotuku Stream; towards the south-east by the other part of the said Maori Reserve No 2, 1540 links; and towards the south-west by Maori Reserve No 5 (Ratapihipihi): as the same is delineated on the plan marked S G 47710, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Land District of Wellington.

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

Schedule 5

Wanganui rifle range

Section 23

ALL that parcel of land, containing 32 acres 2 roods 32 perches, situate in the Provincial District of Wellington, being part of Section 11, Block V, Right Bank, Wanganui River, and being the whole of the land contained in certificate of title, Vol xlix, folio 19, of the Wellington Land Registration District.

Schedule 6

Site for Waione Co-operative dairy factory

Section 28

ALL that parcel of land in the Hawke's Bay Land District, containing by admeasurement 4 acres, more or less, situated in Block V, Weber Survey District. Bounded towards the north-east and east by the Akitio River; towards the south-west by Section No 68, Block V, Weber Survey District; and towards the north-west by a right line at right angles to the north-eastern boundary-line of the said Section No 68.

Schedule 7

Church of England site, Rimu

Section 33

ALL that parcel of land, situate at Rimu, Block V, Kanieri Survey District, containing by admeasurement 36.4 perches, and bounded as follows: On the north-westward by the Ross Road, 156.25 links; on the north-eastward by Spence's business site, 181.5 links; on the south-eastward by Silcock's residence-area, 172 links; and on the south-westward by Carson's residence-area, 109.75 links: be all the same measurements a little more or less. For Church of England purposes.

Schedule 8

Recreation reserve, Sumner

Section 34

ALL that area in the Canterbury Land District, containing by admeasurement 11 acres, more or less, situated in the Sumner Survey District. Bounded by a line commencing at a point bearing $324^{\circ} 36'$ and distant 2719.3 links from the standard-survey stone at the junction of Nayland and Stoke Streets, and proceeding easterly along an arc of a circle with a radius of 17 chains (the centre of the circle seaward), 1287.3 links, to a point bearing $351^{\circ} 36' 45''$ and distant 2188.7 links from said survey stone; thence along an arc of a circle with a radius of 120 links (the centre of the circle being landwards), 181 links, to a point bearing $355^{\circ} 35' 30''$ and distant 2120.7 links from said survey stone; thence along an arc of a circle with a radius of 200 chains (the centre of the circle being seaward), 2078.8 links, to a point bearing $69^{\circ} 8'$ and distant 1027.6 links from said survey stone; thence along an arc of a circle with a radius of 50 chains (the centre of the circle being seaward), 3464 links, to a point bearing $37^{\circ} 18' 30''$ and distant 1240.8 links from the standard-survey stone at the junction of Nayland Street and Heberden Road; thence southerly along the western side of a public road and the western boundary of Rural Section No 532; thence westerly along a right line bearing $129^{\circ} 14'$ to a point bearing $39^{\circ} 30'$ and distant 434.7 links from the said survey stone at the junction of Nayland Street and Heberden Road; thence generally north-westerly along the northern side of the Esplanade to the aforesaid line bear-

ing 324° 36' from the standard-survey stone at the junction of Nayland and Stoke Streets; and thence along that line to the place of commencement.

Schedule 9

Public-School site, Waiareka

Section 42

ALL that area in the Otago Land District, being part of Section 2 of 23, Block III, Oamaru Survey District, as per plan deposited in the office of the Chief Surveyor, Dunedin, containing by admeasurement 4 acres 2 roods 29 perches, more or less, commencing at a point distant 1256.9 links in a south-east direction on a bearing of 140° 11' from the north-west corner of said Section 2 of 23, Block III, Oamaru District, and bounded then towards the north-north-east by a road-line, 846.5 links; towards the east-south-east by part of Section 2 of 23 of said Block III, 928.3 links; towards the south-south-west by another part of Section 2 of 23 of said Block III, 131.6 links; finally towards the west-north-west by another part of Section 2 of 23 of said Block III, 1432.2 links, to the commencing-point: be all the aforesaid linkages and area a little more or less.

Schedule 10

Land for domain, Port Chalmers

Section 45

ALL that area in the Land District of Otago, containing by admeasurement 23 acres 2 roods 11 perches, more or less, situated in the Town of Port Chalmers. Bounded towards the south-east and west generally by the high-water mark of Otago Harbour (as shown upon the plan hereinafter mentioned); and towards the east and north-west generally by Wickliffe Terrace, Victory Place, South Terrace, Bellevue Place; by Sections Nos 313 and 312 of the Town of Port Chalmers; again by Bellevue Place; by Sections Nos 220, 219, and 218; again by Bellevue Place; by Sections Nos 217, 216, 215, 214, 213, 212, 211, 210, 209, 208, 207, 206, 205, and 204, of said town; by Island Terrace; by Sections Nos 126, 125, 124, 123, 122, 121, 120, 119, 118, 117, 116, 115, 114, 113, and 112, and by Beach Street to the high-water mark of Otago Harbour—the above-mentioned streets, known as Wickliffe Terrace, Victory Place, South Terrace, Bellevue Place, Island Terrace, and Beach Street, being all 100 links in width: excepting from the above-described area any land which has been granted to or vested in any person or body: as the same is delineated on the plan marked SG 45716, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Wellington Land District, and thereon coloured red.

Schedule 11

[Repealed]

Sections 14, 15, 48 and Schedule 11 were repealed, as from 31 March 1910, by section 431 Native Land Act 1909 (1909 No 15).

Schedule 12

Auckland Agricultural and Pastoral Society's show-grounds

Section 49

ALL that parcel of land in the Auckland Land District, containing by admeasurement 25 acres 1 rood 36 ½ perches, more or less, being part of Lot No 7A of Section No 12, Suburbs of Auckland. Bounded towards the north-east by part of Lot No 59, Lots Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, the abutment of a public road, Lots Nos 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22; towards the south-east by a public road; towards the south-west by Lot No 17 of Section No 12, Suburbs of Auckland; and towards the north-west by a public road: excepting the railway reserve which intersects the above-described area.

Eprint notes

1 *General*

This is an eprint of the Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act 1901 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Reserves and Other Lands Disposal Act 2015 (2015 No 84): section 29