

**Reprint
as at 1 April 1953**



**Reserves and other Lands Disposal
Act 1947**

Public Act 1947 No 54
Date of assent 25 November 1947
Commencement 25 November 1947

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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 1947.

2 Cancelling the reservation for scenic purposes over Section 1, Block IV, Otahuhu Survey District, and adding it to the Beachlands Domain

Whereas the land hereinafter described is a scenic reserve subject to the provisions of the Scenery Preservation Act 1908:

And whereas the said land is of little scenic value and can be more efficiently administered as a public domain, and it is desirable that it should cease to be a scenic reserve:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the reservation for scenic purposes over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be a recreation reserve and to be set apart under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Beachlands Domain under and subject to the control of the Beachlands Domain Board.

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

All that area in the North Auckland Land District, containing by admeasurement 14 acres, more or less, being Section 1, Block IV, Otahuhu Survey District, and known as Motukaraka Island, bounded on all sides by the Tamaki Strait: as the same is more particularly delineated on the plan marked L and S 170, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

3 Cancelling the vesting of certain lands in the Corporation of the County of Whakatane for tree planting purposes and declaring parts of the said lands to be a public domain and a public hall site respectively

Whereas the lands firstly and secondly described in subsection (4) are vested in the Corporation of the County of Whakatane for tree planting purposes by virtue of an Order in Council dated 29 June 1925 and published in the *Gazette* of 9 July 1925:

And whereas it is desirable that the land firstly described should be constituted a public domain subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and that the land secondly described should be reserved for the purposes of a public hall site subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

Be it therefore enacted as follows:

- (1) The vesting in the Corporation of the County of Whakatane of the lands firstly and secondly described in subsection (4) is hereby revoked and the reservation for tree planting purposes over the said lands is hereby cancelled.
- (2) The land firstly described in subsection (4) is hereby declared to be a recreation reserve and to be set apart under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as a public domain to be known as the Onepu Domain.
- (3) The land secondly described in subsection (4) is hereby reserved as and for the purposes of a site for a public hall under and subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (4) The lands to which this section relates are particularly described as follows:

Firstly, all that area situated in the Auckland Land District, County of Whakatane, containing by admeasurement 8 acres 1 rood and 20 perches, more or less, being Section 17 (formerly part of Section 3), Block VI, Rangitaiki Upper Survey District.

Secondly, all that area situated as aforesaid, containing 2 roods and 16 perches, more or less, being Section 16 (formerly part

of the aforesaid Section 3), Block VI, Rangitaiki Upper Survey District.

The said lands firstly and secondly described being more particularly delineated on the plan marked L and S 1/1131, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

4 Cancellling the reservation over an area of education endowment land in the Otago Land District and declaring it to be Crown land set apart under the Small Farms Act 1932–33

Whereas the land described in subsection (2) is reserved as an endowment for primary education:

And whereas the said land, together with certain areas of adjoining Crown land, has been subdivided into holdings for the settlement of servicemen:

And whereas, for the better disposal of one of those holdings, it is desirable that the reservation as an endowment for education purposes should be cancelled and that the said land should be declared subject to the Small Farms Act 1932–33:

And whereas it is expedient that the said land be disposed of, together with the adjoining areas of Crown land, and be made subject to the provisions of the Small Farms Act 1932–33:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for primary education purposes over the land described in subsection (2) is hereby cancelled and the said land is hereby declared to be Crown land set apart under and subject to the provisions of the Small Farms Act 1932–33.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Otago Land District, containing by admeasurement 200 acres and 18 perches, more or less, being Sections 34 and 36, Block I, Rankleburn Survey District, and being all of the land comprised and described in certificate of title, Volume 180, folio 235, Otago Registry: as the same is more particularly delineated on the plan marked L and S 36/1620, de-

posited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

5 C cancelling the reservation over an area of primary education endowment in the Township of South Mossburn, and constituting the said land as the Mossburn War Memorial Park Domain

Whereas the land described in subsection (3) is reserved as an endowment for primary education purposes:

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

Be it therefore enacted as follows:

- (1) The reservation as an endowment for primary education purposes over the land described in subsection (3) is hereby cancelled, and the said land is hereby declared to be reserved for recreation purposes, and to be set apart under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as the Mossburn War Memorial Park Domain.
- (2) Notwithstanding any provision to the contrary in the Public Reserves, Domains, and National Parks Act 1928 the Minister of Lands may authorise the erection of buildings to be used for the purposes of a community centre on the land referred to in the said subsection (3).
- (3) The land to which this section relates is particularly described as follows:

All that area in the Southland Land District, containing by admeasurement 5 acres 2 roods and 2 perches, more or less, being Lots 1 to 10 inclusive, Block II, Township of South Mossburn (Deposited Plan Number 192), being part of Section 102, Block I, Taringatura Survey District, and being part of the land comprised and described in certificate of title, Volume 112, folio 196, Southland Registry: as the same is more particularly delineated on the plan marked L and S 1/1178, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

6 Cancellling the reservation over an area of primary education endowment and adding to it the Egmont National Park

[Repealed]

Section 6: repealed, on 1 April 1953, by section 65(1) of the National Parks Act 1952 (1952 No 54).

7 Cancellling the vesting of certain lands in the Corporation of the County of Hutt, and vesting the said lands and certain other lands in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery

Whereas the pieces of land firstly and secondly described in subsection (3) are vested for an estate in fee simple in the Corporation of the County of Hutt for the purposes of a cemetery:

And whereas the land thirdly described in subsection (3) has been, for some time past, used for the purpose of a cemetery in conjunction with the land firstly and secondly described in the said subsection (3):

And whereas all the said pieces of land have hitherto been under the control and management of the Hutt County Council:

And whereas it is desirable that the said pieces of land, and the control and management of the cemetery, should be vested in the Corporation of the City of Lower Hutt, but the Hutt County Council has no authority in law to transfer to the Corporation such of the land as is vested in it:

And whereas it is expedient that the land thirdly described in the said subsection (3) should be vested, together with the land firstly and secondly described in the said subsection, for an estate in fee simple in the Corporation of the City of Lower Hutt in trust for the purposes of a cemetery:

Be it therefore enacted as follows:

- (1) The vesting of the lands firstly and secondly described in subsection (3) in the Chairman, Councillors, and Inhabitants of the County of Hutt, for an estate in fee simple, for the purposes of a cemetery, is hereby cancelled, and the said lands, together with the land thirdly described in the said subsection (3) are hereby vested in the Corporation of the City of Lower Hutt for an estate in fee simple for a like purpose.

- (2) The District Land Registrar and the Registrar of Deeds for the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books, to deposit such plans, to issue such certificates of title or other documents, and generally to do all such things as are necessary to give effect to the provisions of this section.
- (3) The lands to which this section relates are more particularly described as follows:

Firstly, all that piece of land situated in Block X, Belmont Survey District, in the City of Lower Hutt, containing by admeasurement 141 acres 1 rood and 25 perches, more or less, being part of Section 45 and part of Section 44, Hutt District, part of the said Section 44 being also part of Lot 16 on a plan deposited in the Land Registry Office at Wellington under Number 1680, the said land being the residue of the land comprised and described in certificate of title, Volume 322, folio 236, Wellington Registry.

Secondly, all that piece of land situated as aforesaid, containing 2 roods 13 perches, and three-tenths of a perch, more or less, being part of Section 44, Hutt District, being all of the land edged green on a plan deposited in the Land Registry Office at Wellington under Number 9145, and being the whole of the land comprised and described in certificate of title, Volume 397, folio 76, Wellington Registry, the said land being subject to an agreement as to fencing contained in Transfer 94847.

Thirdly, all those parcels of land containing together 13 acres 2 roods 12 perches and nine-tenths of a perch, more or less, being part of Section 44, Hutt District, and being the lands more particularly described in Conveyance Number 1775 bearing date 13 August 1859, and in Conveyance Number 55383 bearing date 19 April 1888, the said lands being the whole of those more particularly delineated on the plan numbered SO 12826, lodged in the office of the Chief Surveyor at Wellington.

As the same are more particularly delineated on the plan marked L and S 2/38, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged yellow, blue, and green, respectively.

8 Authorising the Gisborne Harbour Board to lease Section 14, Town of Gisborne

Notwithstanding the provisions of section 30 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1916 or of any other Act, the Gisborne Harbour Board (in this section referred to as the **Board**) is hereby empowered to lease, in accordance with the provisions of Public Bodies' Leases Act 1908, the land situated in the Gisborne Land District, containing by admeasurement 37 perches, more or less, being Section 14, Town of Gisborne, which said land is vested in the Board for the purposes of a pilot station and for harbour improvement purposes.

9 Cancelling the vesting in the Corporation of the City of Auckland of portion of the Auckland Domain and declaring it to be vested in His Majesty the King as a reserve for hospital purposes

Whereas the land described in subsection (3) is vested in the Corporation of the City of Auckland pursuant to the provisions of the Auckland Domain Vesting Act 1893 as a place of public recreation and enjoyment:

And whereas the said land adjoins the site of the Auckland Public Hospital, and, for the more convenient administration of that institution, there has been erected on the said land by the Crown buildings used by the Auckland Hospital Board for general hospital purposes:

And whereas it is essential that these buildings be retained on their existing site, and the Auckland City Council (in this section referred to as the **Council**) is agreeable to the land being so used on condition that the Crown provides other suitable recreation areas in the City of Auckland:

And whereas areas have been so provided to the satisfaction of the Council:

Be it therefore enacted as follows:

- (1) The vesting in the Corporation of the City of Auckland pursuant to the Auckland Domain Vesting Act 1893 of the land described in subsection (3) is hereby cancelled and the said

land is hereby declared to be vested in His Majesty the King as a reserve for hospital purposes.

- (2) The District Land Registrar of the Land Registration District of Auckland is hereby authorised and directed to make such entries in the register books and to do all such things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, in the County of Eden, and situated in Block VIII, Rangitoto Survey District, being part of the Auckland Domain, containing by admeasurement 4 acres 36 perches and nine-tenths of a perch, more or less, bounded, commencing at a point, being the easternmost corner of the portion of the Auckland Domain, shown on a plan deposited in the office of the District Land Registrar at Auckland under Number 19809, and proceeding north-westerly along the north-eastern boundary of the land shown on the said deposited plan 19809 for a distance of 588.78 links bearing 295°51'; thence in a northerly, easterly, south-easterly, and westerly direction generally by lines bearing 22°21'30", distance 411.77 links; bearing 39°03', distance 50.47 links; bearing 73°32', distance 50.10 links; bearing 91°34', distance 225.81 links; bearing 98°52', distance 97.03 links; bearing 112°52', distance 102.56 links; bearing 148°34'30", distance 75.31 links, bearing 152°43', distance 164.17 links; bearing 156°29'20", distance 263.93 links; bearing 180°13'40", distance 141.31 links; bearing 263°56', distance 343.94 links, to the point of commencement: as the same is more particularly delineated on the plan marked L and S 1/550A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

10 Authorising the Manukau County Council to keep 1 account covering both the East Tamaki Domain and the East Tamaki Recreation Reserve

Whereas the land firstly described in subsection (3), known as the East Tamaki Domain, is subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and is under the control of the Manukau County Council

(in this section referred to as the **Council**), acting as the East Tamaki Domain Board:

And whereas the land secondly described in subsection (3) is vested in the Council as and for the purpose of a recreation reserve subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

And whereas in accordance with the provisions of that Act, an account is kept by the Council in its capacity as the East Tamaki Domain Board, in connection with the administration of the area firstly described separate from the account kept by the Council in connection with the area secondly described:

And whereas the said lands adjoin and are administered by the Council as one complete area, and it is desirable in the circumstances that only 1 set of accounts should be kept in respect of the said lands:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 62 of the Public Reserves, Domains, and National Parks Act 1928 the Council is hereby authorised to keep an account, to be known as the East Tamaki Recreation Reserve Account, for the purpose of recording receipts and expenditure in respect of both areas described in subsection (3) and to apply the moneys from time to time in the account for the benefit of either or both of the said areas, and also to apply and account for any moneys which may be lawfully borrowed by the Council for any purpose in connection with either or both areas in the same manner.
- (2) So long as the Council continues to keep the said account it shall not be necessary for it to comply with the provisions and requirements of section 62 of the Public Reserves, Domains, and National Parks Act 1928.
- (3) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the North Auckland Land District, Manukau County, situated in Block VII, Otahuhu Survey District, and containing by admeasurement 5 acres 2 roods, more or less, being Lot 11 and part of Lot 10 on a plan deposited in the Land Registry Office at Auckland under Number 9824,

being part of Allotment 51, Pakuranga Parish, and being the whole of the land comprised and described in certificate of title, Volume 411, folio 275, Auckland Registry.

Secondly, all that area in the North Auckland Land District, containing by admeasurement 5 acres 2 roods 28 perches and eight-tenths of a perch, more or less, being parts of Lots 9 and 10 on a plan deposited in the Land Registry Office at Auckland under Number 9824, being part of Allotment 51, Pakuranga Parish, and being the residue of the land comprised and described in certificate of title, Volume 317, folio 248, Auckland Registry.

As the lands firstly and secondly described are more particularly delineated on the plan marked L and S 1/216A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red and blue respectively.

11 Cancelling the vesting of portion of a reserve for a public park, recreation ground, and botanical gardens in the Corporation of the City of Palmerston North, revoking the reservation, and vesting it in the Board of Governors of the Palmerston North High School

Whereas the land described in subsection (4) is, pursuant to the provisions of section 4 of the Wellington Reserves Act 1876 Amendment Act 1877 vested in the Corporation of the City of Palmerston North (in this section referred to as the **Corporation**) as a public park and recreation ground and botanical gardens:

And whereas the said land was leased to the Board of Governors of the Palmerston North High School (in this section referred to as the **Board**), for a term of 21 years from 1 October 1926, and the Board desires to acquire the said land for a site for a hostel and for the erection of additional school buildings:

And whereas the Palmerston North City Council has no power to dispose of the said land, and it is desirable that it should be vested in the Board:

Be it therefore enacted as follows:

- (1) The vesting of the land described in subsection (4) in the Corporation is hereby cancelled, and the reservation as a public park and recreation ground and botanical gardens is hereby revoked.
- (2) The said land is hereby vested in the Board as a site for a hostel and for the erection of additional school buildings.
- (3) The District Land Registrar of the Land Registration District of Wellington is hereby authorised and directed to make such entries in the register books and to do all such 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 Wellington Land District, situated in the City of Palmerston North, containing by admeasurement 1 acre 1 rood and 24 perches, more or less, being parts of Lots 8, 10, and 11 on plan Number 545, deposited in the office of the District Land Registrar at Wellington, and being part of Rural Section 1536, Town of Palmerston North, and being part of the land in certificate of title, Volume 308, folio 185, Wellington Registry, and bounded as follows: on the north-east by Lots 1 and 2, Deposited Plan 11820, a distance of 200 links, bearing $149^{\circ}42'53''$; on the south-east by Lots 10, 11, and 12, Deposited Plan 11820, and part Lot 10, Deposited Plan 545, a distance of 700 links, bearing $239^{\circ}42'53''$; on the south-west by parts Lots 10 and 11, Deposited Plan 545, a distance of 200 links, bearing $329^{\circ}42'53''$; and on the north-west by parts Lots 11 and 7, Deposited Plan 545, a distance of 700 links, bearing $59^{\circ}42'53''$: as the same is more particularly delineated on the plan marked L and S 1/1158, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

12 Authorising the Tolaga Bay Harbour Board to sell certain land and directing application of the proceeds of the sale thereof

Whereas the land described in subsection (3) is vested in the Tolaga Bay Harbour Board (in this section referred to as the **Board**) for harbour purposes:

And whereas the said land is no longer required by the Board, and it is desirable that the Board should be empowered to sell it and to pay the proceeds of the sale into the sinking fund in connection with the Tolaga Bay Harbour Board Conversion Loan, 1934:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Board is hereby empowered to sell the land described in subsection (3), freed and discharged from the trusts, reservations, and restrictions affecting the same.
- (2) The moneys received by the Board from the sale of the said land shall be paid into and form part of the sinking fund in connection with the Tolaga Bay Harbour Board Conversion Loan, 1934.
- (3) The land to which this section relates is particularly described as follows:

All that parcel of land, containing by admeasurement 1 acre, more or less, being Section 2, Block V, Township of Tolaga Bay, and being the whole of the land comprised and described in certificate of title, Volume 27, folio 269, Gisborne Registry.

13 Declaring land set apart as an endowment for the Auckland Museum to be subject to Part 1 of the Housing Act 1919

Whereas the land described in subsection (3) is set apart as an endowment for the Auckland Museum, pursuant to the provisions of section 2 of the Auckland Museum Endowment Act 1882:

And whereas it is desirable that the said land should now be set apart for housing purposes subject to the provisions of Part 1 of the Housing Act 1919:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for the Auckland Museum over the land described in subsection (3) is hereby cancelled, and the said land is hereby set apart for housing purposes subject to the provisions of Part 1 of the Housing Act 1919.
- (2) The sum of 120 pounds, being the agreed value of the lands referred to in the next succeeding subsection, shall be paid

from the appropriate account to the Receiver of Land Revenue at Gisborne and shall be disbursed in the manner set out in the Auckland Museum Endowment Act 1882.

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

All that area in the Gisborne Land District, containing by admeasurement 1 acre, more or less, being Sections 17, 18, 19, and 20, Block XIII, Tolaga Bay Township, situated in Block XII, Uawa Survey District: as the same is more particularly delineated on the plan marked L and S 22/2499, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

14 Cancellling the reservation over certain education endowment lands in the North Auckland, Auckland, Gisborne, Wellington, and Nelson Land Districts, and declaring them to be subject to Part 1 of the Housing Act 1919

Whereas the lands described in subsection (2) are reserved as endowments for primary education and the lands described in subsection (3) are reserved as endowments for secondary education:

And whereas it is desirable that the reservation over the said land should be cancelled, and the lands set apart for housing purposes, subject to the provisions of Part 1 of the Housing Act 1919:

Be it therefore enacted as follows:

- (1) The reservation as endowments for primary education over the lands described in subsection (2) and the reservation as an endowment for secondary education over the lands described in subsection (3) are hereby cancelled, and the said lands are hereby set apart for housing purposes, subject to the provisions of Part 1 of the Housing Act 1919.
- (2) The lands reserved as endowment for primary education are particularly described as follows:

Firstly, all that area in the North Auckland Land District, City of Auckland, containing by admeasurement 3 roods 19 perches and eight-tenths of a perch, more or less, being Lots 1, 2, 3,

and 4 on a plan deposited in the Land Registry Office at Auckland under Number 18359, being a subdivision of Allotments 55 and 56 of Section 2 of Whau Township North, and being part of the land comprised and described in certificate of title, Volume 5, folio 39, Auckland Registry, as the same is more particularly delineated on the plan marked L and S 30/228/1C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow and yellow edged yellow.

Secondly, all that area in the Auckland Land District, situated in the Borough of Rotorua, and containing by admeasurement 1 rood, more or less, being Section 28, Block LXVII, Town of Rotorua, as the same is more particularly delineated on the plan marked L and S 30/228/28C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Thirdly, all that area in the Gisborne Land District, Block XII, Uawa Survey District, containing by admeasurement 1 acre and 1 rood, more or less, being Sections 1, 2, 3, 4, and 5, Block VIII, Tolaga Bay Township, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 57, Gisborne Registry.

Fourthly, all that area in the Wellington Land District, in the Borough of Raetihi, containing by admeasurement 1 rood, more or less, being Section 164, Town of Raetihi, and being the whole of the land comprised and described in certificate of title, Volume 91, folio 246, Wellington Registry.

Fifthly, all that area in the Nelson Land District, Inangahua County, containing by admeasurement 1 rood 8 perches and four-tenths of a perch, more or less, being Sections 748, 749, 750, and 751, Town of Reefton, and being part of the land comprised and described in certificate of title, Volume 37, folio 183, Nelson Registry, as the same is more particularly delineated on the plan marked L and S 20/990, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- (3) The lands reserved as an endowment for secondary education are particularly described as follows:

All that area in the Nelson Land District, Inangahua County, containing by admeasurement 1 rood 33 perches and eight-tenths of a perch, more or less, being Sections 712, 713, 714, 715, 716, and 717, Town of Reefton, and being parts of the lands comprised and described in certificates of title, Volume 42, folios 78 and 79, Nelson Registry: as the same are more particularly delineated on the plan marked L and S 20/195, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

15 Amending and extending the operation of section 25 of the Reserves and other Lands Disposal Act 1941 and section 3 of the Reserves and other Lands Disposal Act 1943 (extending term of certain leases, etc)

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) *Amendment(s) incorporated in the Act(s).*
- (3) The term of each lease to which section 25 of the Reserves and other Lands Disposal Act 1941 applies and which, but for the passing of that section and this section, would expire by effluxion of time after 1 January 1949 and on or before 1 January 1951 is hereby extended for a period of 4 years from the date of the expiry thereof subject to the same covenants, conditions, and restrictions as are contained and implied in the lease, and the estate of the lessee thereunder shall continue to be subject to all encumbrances, liens, and interests to which it is subject on the date of the expiry of the lease.
- (4) The provisions of subsections (4) to (9) of the said section 25 shall, so far as applicable and with the necessary modifications, apply in the case of any lease the term whereof is extended by the last preceding subsection:
provided that in the application of subsection (4) of the said section 25 (as amended by this section) to any lease the term whereof is extended by the last preceding subsection, the said subsection (4) shall be read and construed as if the words “9 years later” were omitted therefrom, and the words “4 years later” were substituted.

16 Cancelling the reservation over a recreation reserve in the City of Christchurch and declaring it to be subject to Part 1 of the Housing Act 1919

Whereas the land described in subsection (2) is a recreation reserve vested in His Majesty the King, but has never been used for recreation purposes, and is not required for those purposes:

And whereas it is desirable that the reservation over the said land should be cancelled and the land set apart for housing purposes subject to the provisions of Part 1 of the Housing Act 1919:

Be it therefore enacted as follows:

- (1) The reservation for recreation purposes over the land described in subsection (2) is hereby cancelled and the said land is hereby set apart for housing purposes subject to the provisions of Part 1 of the Housing Act 1919.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Canterbury Land District, containing by admeasurement 1 acre 3 roods and six-tenths of a perch, more or less, being Reserve 4419 (formerly Lot 1, on a plan deposited in the Land Registry Office at Christchurch under Number 11689) and situated in Block XI, Christchurch Survey District.

17 Vesting a public reserve in the Town of Russell in His Majesty the King as an addition to the Kororareka Domain

Whereas the land described in subsection (2) is vested in the Russell Town Board as a public reserve pursuant to the provisions of the Public Reserves, Domains, and National Parks Act 1928:

And whereas it is desirable that the land should be vested in His Majesty the King and that it should be also brought under the provisions of Part 2 of the aforesaid Act as an addition to the Kororareka Domain, and that the control of the said land should be vested in the Kororareka Domain Board:

Be it therefore enacted as follows:

- (1) The vesting of the said land in the Russell Town Board is hereby cancelled and the land is hereby declared to be vested

in His Majesty the King for recreation purposes, to be subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Kororareka Domain under the control of the Kororareka Domain Board.

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

All that area in the North Auckland Land District, situated in the Russell Town District, containing by admeasurement 1 rood 17 perches and eighty-eight one-hundredths of a perch, more or less, being Lots 5 and 6 on a plan deposited in the Land Registry Office at Auckland under Number 7147, being part of Allotment 2 of Section 6, Town of Russell, and being the whole of the land comprised and described in certificate of title, Volume 318, folio 66, Auckland Registry, as the same is more particularly delineated on the plan marked L and S 1/327B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

18 Cancelling the reservation over part of an endowment for primary education in the North Auckland Land District, and adding it to the Okaihau Domain

Whereas the land described in subsection (2) forms portion of a reserve for an endowment for primary education:

And whereas it is desirable that such reservation should be cancelled and that the said land should be reserved for recreation purposes and brought under the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Okaihau Domain:

Be it therefore enacted as follows:

- (1) The reservation as an endowment for primary education over the said land is hereby cancelled, and the said land is hereby declared to be reserved for recreation purposes, to be subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form portion of the Okaihau Domain.
- (2) The land to which this section relates is particularly described as follows:

All that area in the North Auckland Land District, Bay of Islands County, situated in Blocks X and VI, Omapere Survey District, containing by admeasurement 7 acres 14 perches and four-tenths of a perch, more or less, being Lot 2 on a plan numbered 33808, deposited in the Land Registry Office at Auckland, being part of Allotment 22, Okaihau Parish, and being part of the land comprised and described in certificate of title, Volume 6, folio 163, Auckland Registry, as the same is more particularly delineated on the plan marked L and S 48037A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon edged red.

19 Authorising the Lower Hutt City Council to enter into certain leases

Whereas the Corporation of the City of Lower Hutt (in this section referred to as the **Corporation**) is seized of an estate in fee simple for the use and enjoyment of the public as a pleasure ground in the lands firstly and secondly described in subsection (4):

And whereas the Lower Hutt City Council (in this section referred to as the **Council**) on behalf of the Corporation has resolved to grant a lease of the land firstly described in the said subsection (4) to Hutt Valley Lawn Tennis Association, Incorporated (in this section referred to as the **Association**):

And whereas the Council has further resolved to grant a lease of the piece of land secondly described in the said subsection (4) to Naenae Bowling and Croquet Club, Incorporated (in this section referred to as the **Club**):

And whereas the Council lacks authority to lease the said lands under suitable terms and conditions to the parties aforesaid, and it is desirable that power to grant the aforesaid leases should be conferred upon it:

Be it therefore enacted as follows:

- (1) The Council is hereby empowered to grant a lease of the land firstly described in subsection (4) to the Association for a term of 25 years upon and subject to the terms and conditions set out in a certain Memorandum of Lease, bearing date 28 July 1947, a copy whereof is deposited in the Head Office of the Depart-

ment of Lands and Survey, at Wellington, under Wellington Deed Number 1618, and the said Memorandum of Lease is hereby validated and shall be deemed to have been lawfully given.

- (2) The Council is hereby further empowered to grant a lease of the land secondly described in subsection (4) to the Club for a term of 21 years upon and subject to the terms and conditions set out in a certain Memorandum of Lease bearing date 7 February 1947, a copy whereof is deposited in the Head Office of the Department of Lands and Survey, at Wellington, under Wellington Deed Number 1619, and the said Memorandum of Lease is hereby validated and shall be deemed to have been lawfully given.
- (3) The District Land Registrar of the Land Registration District of Wellington is hereby authorised and directed to receive such documents for registration, to make such entries in the Register books, and to do all such things as may be necessary to give effect to the provisions of this section.
- (4) The lands to which this section relates are more particularly described as follows:

Firstly, all that piece or parcel of land situated in the City of Lower Hutt, and containing 2 acres 2 roods 3 perches and sixty-five hundredths of a perch, more or less, being part of Sections 35 and 38, Hutt District, and being also Lot 2 on a plan deposited in the Land Registry Office at Wellington under Number 13438, and being part of the land comprised and described in certificate of title, Volume 438, folio 192, Wellington Registry.

Secondly, all that piece or parcel of land situated as aforesaid, and containing 1 acre 3 roods 14 perches and thirty-six hundredths of a perch, more or less, being part of Section 35, Hutt District, and being also Lot 1 on a plan deposited in the Land Registry Office at Wellington under Number 13438, and being part of the land comprised and described in certificate of title, Volume 438, folio 192, Wellington Registry.

20 Cancellling the reservation over and authorising the sale of the Hukerenui Domain, together with certain land held by the Hukerenui Agricultural and Pastoral Association, Incorporated, and providing for the application of the proceeds for the acquisition of other land for recreation purposes and as a site for a memorial hall

Whereas the land firstly described in subsection (4) is a recreation reserve subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and is known as the Hukerenui Domain:

And whereas the land secondly described in the said subsection is held by the Hukerenui Agricultural and Pastoral Association, Incorporated, formerly known as the Hikurangi and Otonga Ridings Farmers' Agricultural, Pastoral, and Industrial Association:

And whereas the said lands are unsuitable for the purposes for which they are held:

And whereas it is desirable that the said lands should be sold and that authority should be given to apply the proceeds from sale towards the purchase and improvement of land more suitable for recreation purposes and as a site for a memorial hall:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928, the reservation for the purpose of a public domain over the land firstly described in subsection (4) is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal by private treaty or otherwise on such terms and conditions as the Minister of Lands may determine.
- (2) The provisions of subsection (2) of section 41 of the Public Reserves, Domains, and National Parks Act 1928 are hereby declared to apply to the proceeds from the sale of the land referred to in the last preceding subsection.
- (3) Notwithstanding anything to the contrary in the Agricultural and Pastoral Societies Act 1908, the Hukerenui Agricultural and Pastoral Association, Incorporated, may sell by private treaty or otherwise the land secondly described in subsection (4), and the Association is hereby authorised to apply the pro-

ceeds from the sale towards the purchase and improvement of other land, part of which shall be conveyed to His Majesty the King as a site for a memorial hall subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928 and the balance conveyed to His Majesty the King as a recreation reserve subject to the provisions of Part 2 of that Act.

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

Firstly, all that area in the Bay of Islands County, North Auckland Land District, containing by admeasurement 24 acres, more or less, being Sections 51 and 53 of Block VI, Hukerenui Survey District: as the same is more particularly delineated on the plan marked L and S 1/296A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Secondly, all that area in the Whangarei County, North Auckland Land District, containing by admeasurement a total of 74 acres 1 rood 15 perches and twenty-three one-hundredths of a perch, more or less, being part of Section 44, Block X, Hukerenui Survey District, being the residue of the land comprised and described in certificate of title, Volume 253, folio 185, Auckland Land Registry; and Sections 59 and 60, Block X, Hukerenui Survey District, being the whole of the lands comprised and described in certificate of title, Volume 445, folio 109, Auckland Land Registry: as the same is more particularly delineated on the plan marked L and S 1/296B, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

21 Empowering the Napier Harbour Board and the Napier Borough Council to enter into an agreement for the disposal of a public reserve vested in the Corporation of the Borough of Napier and provisions incidental thereto

Whereas by paragraph (b) of subsection (2) of section 4 of the Napier Harbour Board and Napier Borough Enabling Act 1933 it is provided that the Napier Harbour Board (in this section referred to as the **Board**) should transfer to the Corporation of the Borough of Napier (in this section referred to as the

Corporation) such portions of the land described in Schedules 1, 2, and 3 of the said Act as the Board and the Napier Borough Council should agree upon for parks and reserves:

And whereas, pursuant to an agreement made between the said Board and the Council pursuant to the provisions of the said Act, the Board transferred to the Corporation for the purpose of a public park the land hereinafter described:

And whereas it is considered that other provisions made for parks and reserves are adequate and that the whole of the said piece of land is not and will not be required for the purpose aforesaid:

And whereas it is desirable that so much of the said piece of land as is not required for the purpose aforesaid should be subdivided into building allotments and that up to but not exceeding one-half of those building allotments should be transferred by the Corporation to the Board:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in the Municipal Corporations Act 1933 or in any other Act, the Board and the Napier Borough Council are hereby authorised to enter into and carry out an agreement whereby part of the land described in subsection (4) is to be retained by the Corporation for the purpose for which the land is now held, and whereby the balance of the said land is to be subdivided by the Council into building allotments of which allotments up to but not exceeding one-half shall be transferred by the Corporation to the Board.
- (2) The building allotments retained by the Corporation and the building allotments transferred by the Corporation to the Board shall be held by the Corporation and the Board respectively as their own absolute property freed from any trust, condition, or restriction now affecting the same or the proceeds of the sale thereof.
- (3) With respect to the building allotments retained by the Corporation, the Napier Borough Council shall have power, subject to compliance with the provisions of sections 158 and 159 of the Municipal Corporations Act 1933 to lease the whole or any part or parts thereof, and, without complying with the provisions of section 156 of the said Act, to confer on any lessee

or lessees the option of purchasing the fee simple of the land comprised in the lease to him, either forthwith or at the expiration of such period as the said Council shall think fit, and otherwise upon and subject to such terms and conditions as the said Council shall think fit.

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

All that area of land situate in the Borough of Napier, in the Hawke's Bay Land District, containing 2 acres 1 perch and six-tenths of a perch, more or less, being Lot 209 on Deposited Plan Number 6598, which said parcel of land is part of Te Whare-o-Marae-nui Block, and part of the land in certificate of title, Volume 106, folio 147 (Hawke's Bay Registry).

22 Cancellling the reservation over portion of the Millerton Domain and declaring it to be Crown land

Whereas the land described in subsection (2) is a recreation reserve subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and comprises part of an area known as the Millerton Domain:

And whereas the said land is unsuitable for domain purposes:

And whereas portions of the said land have been used for residential purposes:

And whereas it is desirable that the said land should now be excluded from the Domain and declared Crown land subject to the provisions of the Land Act 1924:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928, the reservation for the purposes of a public domain over the lands described in subsection (2) (being portion of the Millerton Domain) is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1924.

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

All that area in the Nelson Land District, Buller County, containing by admeasurement 4 acres 2 roods 14 perches, more or less, being Part Sections 142 and 263 and Sections 264, 265,

266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, and 279, Town of Millerton, bounded generally as follows: commencing at a point being the intersection of Rodney and Seymour Streets, thence on the south-west by Seymour Street, on the north-west by other parts of Sections 142 and 263, Recreation Reserve (Millerton Domain), on the north-east by a Westport Coal Company's mining privilege, and on the south-east by Rodney Street, to the point of commencement, excepting thereout the formed and used road 100 links in width: as the same is more particularly delineated on plan marked L and S 1/35A, deposited in the Head Office of the Lands and Survey Department at Wellington, and thereon bordered red (Nelson SO Plan 9517).

23 Section 21 of the Reserves and other Lands Disposal Act 1941 amended

Whereas section 21 of the Reserves and other Lands Disposal Act 1941 authorises the use of portion of the Rotorua Domain and certain stopped streets in the Borough of Rotorua as a site for a hospital for convalescent soldiers, and also makes provision for the granting of a lease by the Rotorua Borough Council over the said stopped streets in favour of the Crown for such purposes and for such period as are set out in the said section:

And whereas the lease so authorised has been duly entered into by the parties thereto, but it is now expedient that its terms be varied and that the uses to which the said part of the Rotorua Domain and the said stopped streets may be put should be varied in the manner hereinafter set forth:

And whereas the parties to the said lease are agreeable to its being varied:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 21 of the Reserves and other Lands Disposal Act 1941, the period for which the portion of the Rotorua Domain and the stopped streets described in the said section may be used for the purposes set out therein, shall be 10 years from 15 August 1945 and during that period the said lands may be used as a site for a hospital for convalescent soldiers and for persons suffering from rheumatism or other crippling diseases or disabilities.

- (2) The lease authorised by subsection (2) of the said section is hereby varied to the extent that the term thereof shall be 10 years from 15 August 1945 and the purpose for which the leased lands may be used shall be as a site for a hospital for convalescent soldiers and for persons suffering from rheumatism and other crippling diseases or disabilities and for purposes incidental thereto.

24 Authorising the Nelson Harbour Board to relinquish its claims to an accretion area in favour of the Nelson City Council

Whereas by deed of conveyance dated 27 January 1909 and registered in the office of the Registrar of Deeds at Nelson under Number 35647, certain land was conveyed by James Burns Green, Arthur Ernest Green, George Green, and Percy Bollard Adams, to the Mayor, Councillors, and Citizens of the City of Nelson (in this section referred to as the **Council**):

And whereas the said deed of conveyance also purported to convey to the Council all the estate, right, title, interest, claim, and demand of the said vendors in other land comprising accretions from recessions of the sea:

And whereas by deed poll dated 7 January 1910 and registered under Number 36433, the Council declared that it held the said lands in trust for and to be used as pleasure grounds or for any other purpose of enjoyment or recreation:

And whereas since the execution of the said deed of conveyance the sea has further receded to the line shown on the plan deposited in the Public Works Department at Wellington under Number PWD 124315:

And whereas the accretion area now comprises the land described in subsection (3):

And whereas there is doubt as to whether or not the said accretion area is vested in the Nelson Harbour Board (in this section referred to as the **Board**) pursuant to section 4 of the Nelson Harbour Act 1905:

And whereas the Board is prepared to relinquish all claims and title to the said accretion area in favour of the Council so that the land may be developed for recreation purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in section 4 of the Nelson Harbour Act 1905 or in any other Act, the Board is hereby empowered to relinquish all rights and title to the land described in subsection (3) and to acknowledge the right and title of the Council to the said land:
provided that nothing herein contained shall prejudice or affect the claims of either the Board or the Council in respect of further accretions to the said land.
- (2) The District Land Registrar for the Land District of Nelson is hereby empowered and directed, on deposit with him of a plan of the land described in subsection (3), to issue a certificate of title in favour of the Council in respect of the said land, and the Council shall hold the said land in trust for recreation purposes.
- (3) The accretion area to which subsections (1) and (2) relate is described as follows:

All that area in the Nelson Land District, situated partly in the Tahunanui Town District and partly in the Waimea County, containing by estimation 220 acres, more or less, and being partly accretion and partly tidal flats, now designated Section 99, District of Suburban South and bounded generally as follows: towards the north and north-west generally by the mean high-water mark of Tasman Bay, extending from Rocks Road to the most south-westerly point of Section 99 aforesaid; towards the south-west by a right line across tidal lands from the last mentioned point to the most westerly point of the land held by the Nelson City Council under Conveyance Number 35647 (Nelson Registry); towards the south and south-east generally by the aforesaid Nelson City Council land, by the abuttal of a public road, again by the aforesaid Nelson City Council land, by the abuttal of another public road, and again by the aforesaid Nelson City Council land, and by a portion of Rocks Road: as the same is more particularly delineated on a plan marked L and S 22/3258A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon in outline edged red.

25 Authorising the closing of portions of a street in the Borough of Runanga and vesting the area in the Crown

Whereas the street known as Seven Mile Road (being portion of the Westport–Greymouth Main Highway) in the Borough of Runanga is of an average width of 3 chains:

And whereas, without objection from the local authority, houses have been erected on the unformed portion of that street:

And whereas it is desirable that portions of the street should be closed to enable leases to be granted to the owners of the houses thereon, and to ensure a uniform street width of 150 links:

And whereas it is also desirable that any portions of the said street that may be closed should vest in the Crown and become available for disposal under the Land Act 1924:

Be it therefore enacted as follows:

- (1) The Governor-General may from time to time by Proclamation declare such portions as he thinks fit of the street in the Borough of Runanga known as Seven Mile Road to be closed: provided that the power hereby conferred shall not be exercised so as to reduce the width of the said street below a uniform width of 150 links.
- (2) Notwithstanding anything contained in the Municipal Corporations Act 1933, or in any other Act, the land comprised in any portion of the street closed under the last preceding subsection shall vest in His Majesty as Crown land subject to the Land Act 1924.

26 Cancelling the reservation over certain permanent State forest land in Nelson Land District, setting it apart as a reserve for water supply purposes, and vesting it in the Corporation of the City of Nelson

Whereas the land hereinafter described is permanent State forest under and subject to the provisions of the Forests Act 1921–22:

And whereas the land is required as an addition to the water supply areas vested in and owned by the Corporation of the City of Nelson (in this section referred to as the **Corporation**)

and it is desirable that the said land should be set apart for water supply purposes and vested in the Corporation:

Be it therefore enacted as follows:

- (1) The reservation for permanent State forest purposes over the land hereinafter described is hereby cancelled and the said land is hereby set apart as a reserve for water supply purposes and vested in the Corporation in trust for those purposes.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, Waimea County, containing by admeasurement 2 925 acres, more or less, and being portion of State Forest Reserve of 5 340 acres, situated in Blocks IV and VII, Maungatapu Survey District, and Block XII, Waimea Survey District, and bounded generally as follows: commencing at peg IX on the south-eastern boundary of Section 12, Waterworks Reserve Block XII, Waimea Survey District, thence towards the north-west by the said Section 12 and Section 13, Waterworks Reserve Block XII aforesaid, and Section 15, Waterworks Reserve Block IV, Maungatapu Survey District, to Mount Claude, thence towards the north and north-east by the Dun Mountain Scenic Reserve to Trig H (Rocks); thence towards the south-east by State Forest Reserve 26 000 acres (*Gazette* 1931, p 1) to Trig L A; thence towards the south-west by a right line from Trig L A to peg IX, being the point of commencement: as the same is more particularly delineated on plan marked L and S 13/108/68, deposited in the Head Office, Lands and Survey Department, Wellington, and thereon bordered red.

27 Authorising the Timaru Borough Council to sell certain endowment land

Whereas the land hereinafter described is a reserve vested in the Mayor, Councillors, and Burgesses of the Borough of Timaru in trust as an endowment in aid of the funds of the Borough:

And whereas difficulties are being experienced in effectively managing and administering the said land, and it is therefore desirable that the Council should be empowered to sell the area

and to apply the proceeds in the purchase of other land for municipal purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Timaru Borough Council is hereby empowered from time to time by private treaty or otherwise, to sell the said land freed and discharged from the trusts, reservations, and restrictions affecting the same.
- (2) The net proceeds from the sale shall be applied in the purchase of other land for municipal purposes.
- (3) The land to which this section relates is particularly described as follows:

All those parcels of land in the Canterbury Land District, containing together 2 002 acres 2 roods 38 perches, more or less, in Blocks VIII and XII of the Tengawai and Blocks V and IX of the Opihi Survey Districts, being Reserve 2195x and parts of Reserve 2195, and being the whole of the land comprised and described in certificate of title, Volume 188, folio 287, Canterbury Registry.

28 Authorising the Dilworth Trust Board, Incorporated, to issue new leases to the Auckland Hockey Association, Incorporated, and to the Remuera Tennis Club, Incorporated, over certain trust lands, and making special provision in respect of the use of portions of the said lands

Whereas the lands described in subsection (4) are vested in the Dilworth Trust Board, incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act 1908 (in this section referred to as the **Board**), subject to the restraint on the user of the said land in any manner inconsistent with the same being kept and used as a reserve for recreation purposes during the period set out in memorial of judgment registered Number 358651:

And whereas part of the said lands is subject to a memorandum of lease registered in the Auckland Land Registry under Number 17020 to the Auckland Hockey Association, Incorporated (in this section referred to as the **Association**):

And whereas the balance of the said lands is subject to a memorandum of lease registered in the Auckland Land Registry under Number 16878 to the Remuera Lawn Tennis Club, Incorporated (in this section referred to as the **Club**):

And whereas on or about 15 July 1942, the Minister of Defence, acting on behalf of His Majesty the King, and in exercise of the powers in that behalf conferred by the Defence Emergency Regulations 1941, entered into possession of the said lands for defence purposes and erected certain buildings thereon for those purposes:

And whereas it is now desirable that the Board be empowered to consent to the utilisation by the Crown, as temporary housing units, of certain buildings erected on the land firstly described in subsection (4):

And whereas it is also desirable that the Board be empowered to consent to a sublease from the Club to the Crown and to a further sublease from the Crown to the Auckland Hospital Board of the land thirdly described in subsection (4) for the purposes of a nurses' training school and nurses' home:

And whereas for the purposes of giving effect to these proposals the Club and the Association have agreed to surrender the said leases and to accept new leases on such terms and conditions as may be agreed upon by the parties thereto:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law and particularly any restriction on the title to the lands described in subsection (4) or any part thereof or on the use thereof as set out in the said memorial of judgment registered Number 358651, or otherwise howsoever, it shall be lawful for the Board—
 - (a) to accept surrenders of the said leases registered numbers 17020 and 16878 and to grant a new lease of the land firstly described in subsection (4) to the Association for a term expiring on 31 October 1958 and a new lease of the land secondly so described to the Club for a term expiring on 31 October 1958 upon such terms as may be agreed between the parties thereto respectively:

- (b) to consent to the utilisation by His Majesty the King of the buildings on the lands firstly described in subsection (4) as temporary housing units upon such terms as may be agreed upon between His Majesty the King and the Association during the term of the Association's lease:
 - (c) on the grant of the said lease to the Club, to consent to the grant of a sublease by the Club to His Majesty the King of the land thirdly described in subsection (4) for the purposes of a nurses' training school and nurses' home upon such terms as may be agreed between His Majesty the King and the Club and approved by the Board:
 - (d) after the grant of any sublease referred to in the last preceding paragraph, to consent to the grant of a further sublease by His Majesty the King to the Auckland Hospital Board of the land described in the sublease for the like purpose, on such terms as may be agreed between His Majesty the King and the Auckland Hospital Board and approved by the Board.
- (2) Notwithstanding any restriction hereinbefore mentioned, it shall be lawful for the Club and His Majesty the King respectively to grant the subleases referred to in paragraphs (b) and (c) of subsection (1), and the District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to register any such leases and subleases and to deposit such plans, make such entries in the register books, and to do all such things as may be necessary to give effect to the provisions of this section.
- (3) No action or other proceeding shall hereafter lie against the Board, the Association, the Club, or any other person on the ground that any consent, lease, sublease, act, or thing given or granted or done pursuant to the terms of this section or to give effect thereto constitutes a breach of any restriction on the user of any part of the lands described in subsection (4).
- (4) The lands to which this section relates are particularly described as follows:
Firstly, all that parcel of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement 14 acres 20 perches and nine-tenths of a perch, more

or less, being Lot 1 on a plan deposited in the office of the Chief Surveyor at Auckland, under Number SO 34901, and thereon edged blue, being parts of Allotments 6, 7, and 13 of Section 11 and part of Allotment 1 of Section 12, Suburbs of Auckland, and being parts of the lands described in certificates of title, Volume 604, folio 54, limited as to parcels, Volume 513, folio 274, limited as to parcels, and Volume 12, folio 178 (Auckland Registry).

Secondly, all those parcels of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement 1 acre 2 roods 8 perches and four-tenths of a perch and 1 acre 30 perches, more or less, being Lots 2 and 3 respectively, on a plan deposited in the office of the Chief Surveyor at Auckland under Number SO 34901, and thereon edged red and yellow respectively, being parts of Allotments 7 and 13 of Section 11 and part of Allotment 1 of Section 12, Suburbs of Auckland, and being parts of the lands described in certificates of title, Volume 513, folio 274, limited as to parcels, Volume 604, folio 54, limited as to parcels, and Volume 12, folio 178 (Auckland Registry).

Thirdly, all that parcel of land situated in Block I, Otahuhu Survey District, in the City of Auckland, containing by admeasurement 1 acre 30 perches, more or less, being Lot 3 on a plan deposited in the office of the Chief Surveyor at Auckland under Number SO 34901, and thereon edged yellow, being part of Allotment 7 of Section 11, Suburbs of Auckland, and being part of the land described in certificate of title, Volume 513, folio 274, limited as to parcels (Auckland Registry).

29 Special provisions in respect of certain lands vested in the trustees of the late James Gammack

Whereas the lands hereinafter described are vested in the trustees for the time being of the late James Gammack, late of Springston, in the Provincial District of Canterbury, deceased, but without power of sale or gift being conferred on the trustees by the will:

And whereas by section 22 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922 provision

was made for the sale of certain lands belonging to the estate of the said James Gammack:

And whereas it is desirable that the trustees be permitted to sell certain other lands hereinafter described, and to invest the proceeds from such sale in trust for the beneficiaries according as they are entitled to the same in terms of the said will:

Be it therefore enacted as follows:

- (1) The Governor-General may, by Order in Council, authorise the trustees for the time being of the will of the said James Gammack, deceased, subject to such conditions as the Governor-General shall think fit, to sell the lands hereinafter described and to invest the proceeds from the sale for the benefit of the beneficiaries according as they are entitled to the same under the said will.
- (2) The lands to which this section relates are more particularly described as follows:

Firstly, all that piece of land situated in Block VIII of the Leeston Survey District, containing 2 acres 1 rood 25 perches and eight-tenths of a perch, more or less, being part of Rural Section 3053 and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 1 on Deposited Plan Number 13488 (Land Registration District of Canterbury).

Secondly, all that piece of land situated in Block VIII of the Leeston Survey District, containing 3 roods 24 perches and six-tenths of a perch, more or less, being part of Rural Section 3053, and being part of the land comprised in certificate of title, Volume 501, folio 192, and the whole of the land in memorandum of lease Number 11728, and more particularly shown as part of Lot 3 on Deposited Plan Number 5565 (Land Registration District of Canterbury).

Thirdly, all that piece of land situated in Block VIII of the Leeston Survey District, containing 1 acre 2 roods, more or less, being part of Rural Section 7152, and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 1 on Deposited Plan Number 11913 (Land Registration District of Canterbury).

Fourthly, all that piece of land situated in Block VIII of the Leeston Survey District, containing 3 acres 3 roods 3 perches, more or less, being parts of Rural Sections 7006 and 7007 and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lots 10 and 11 on Deposited Plan Number 5565 (Land Registration District of Canterbury).

Fifthly, all that piece of land situated in Block VIII of the Leeston Survey District, containing 2 acres 3 roods 5 perches, more or less, being part of Rural Section 7006, and being part of the land comprised in certificate of title, Volume 501, folio 192, and more particularly shown as Lot 9 on Deposited Plan Number 5565 (Land Registration District of Canterbury).

30 Authorising sale of certain land by Wellington Ladies Christian Association

Whereas the land described in subsection (3) is vested in the Wellington Ladies Christian Association Trustees in trust as a site for a cottage home for girls:

And whereas it is expedient that the said trustees should be empowered to dispose of the said land:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Wellington Ladies Christian Association Trustees are hereby empowered to sell the land described in subsection (3) freed and discharged from the trusts, reservations, and restrictions affecting the said land.
- (2) Any sale authorised by the last preceding subsection may be by private contract or otherwise and may be for cash or upon such terms as the said Trustees may in their discretion decide. The net proceeds from the sale shall be applied by the Trustees in or towards the purchase of other land to be held in trust for the purposes of a home for girls, or generally towards the cost of equipping and maintaining such a home.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, situated in the City of Wellington, containing by admeasurement 1 acre, more

or less, being Section 1041 of the Town of Wellington, and being the whole of the land comprised and described in certificate of title, Volume 80, folio 300, Wellington Registry.

Contents

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Notes

1 *General*

This is a reprint of the Reserves and other Lands Disposal Act 1947. The reprint incorporates all the amendments to the Act as at 1 April 1953, 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)*

National Parks Act 1952 (1952 No 54): section 65(1)
