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**Reserves and Other Lands Disposal
Act 1952**

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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 1952.

2 Declaring portion of the Hamilton Domain to be Crown land and effecting an exchange of portion of that domain for an area of land vested in the Corporation of the City of Hamilton

Whereas the lands firstly and secondly described in subsection (7) are vested in Her Majesty for recreation purposes subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and form portion of the Hamilton Domain under the control of the Hamilton City Council acting as the Hamilton Domain Board:

And whereas the land firstly described in the said subsection (7) is not required for domain purposes, and it is desirable that the land be declared Crown land subject to the Land Act 1948:

And whereas the land secondly described in the said subsection (7) is utilised by the Hamilton City Council, together with an adjoining area, being the land thirdly described in the said subsection (7), as a site for a water-pumping station and for purposes incidental thereto:

And whereas the land thirdly described in the said subsection (7) is, together with the land fourthly described in the said subsection and a right of way as described in Schedule 3 of the Hamilton Domains Act 1911 vested in the Corporation of the City of Hamilton as a municipal endowment or for municipal purposes by virtue of section 5 of that Act:

And whereas the Hamilton City Council wishes to acquire the area of domain land secondly described in the said subsection (7) and has agreed in return to the land fourthly described in the said subsection (7) being added to the Hamilton Domain:

And whereas the right of way hereinbefore referred to is no longer required, and it is desirable that it be surrendered:

Be it therefore enacted as follows:

- (1) The land firstly described in subsection (7) is hereby declared to be no longer subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928, and the said land is hereby declared to be Crown land subject to the Land Act 1948.
- (2) The land secondly described in subsection (7) is hereby declared to be no longer portion of the Hamilton Domain subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and is hereby vested in the Mayor, Councillors, and Citizens of the City of Hamilton as a reserve for waterworks purposes under and subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (3) All trusts, reservations, and restrictions heretofore affecting the land thirdly described in subsection (7) are hereby revoked, and it is hereby declared that the said land shall henceforth be held by the Mayor, Councillors, and Citizens of the City of Hamilton as a reserve for waterworks purposes under and subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (4) The land fourthly described in subsection (7) is hereby declared to be no longer vested in the Corporation of the City of Hamilton for a municipal endowment or for municipal purposes, and that land is hereby declared to be vested in Her Majesty as and for a recreation reserve under and subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and to form portion of the Hamilton Domain under the control of the Hamilton Domain Board.
- (5) The right of way referred to in Schedule 3 of the Hamilton Domains Act 1911 is hereby cancelled and declared to be surrendered to the servient tenements thereof.

- (6) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (7) The lands to which this section relates are particularly described as follows:
- All those areas in the South Auckland Land District, City of Hamilton, being formerly portions of Allotments 19, 20, and 53, Hamilton West Town Belt, and being—
- Firstly, Allotment 69, Hamilton West Town Belt; area, 14 perches and eighty-three hundredths of a perch, more or less (SO Plan 35542).
- Secondly, Allotment 68, Hamilton West Town Belt; area, 1 acre 3 roods and 18 perches, more or less (SO Plan 35542).
- Thirdly, Allotment 67, Hamilton West Town Belt; area, 3 acres 1 rood and 25 perches, more or less (SO Plan 35542).
- Fourthly, Allotment 66, Hamilton West Town Belt; area, 1 acre 3 roods and 25 perches, more or less (SO Plan 35542).

3 Making special provision in regard to certain compensation moneys to be paid to the New Plymouth City Council

Whereas the Minister of Works, on behalf of Her Majesty, proposes to acquire under the Public Works Act 1928 certain land now vested in the Corporation of the City of New Plymouth as a reserve and endowment for the improvement and benefit of the City of New Plymouth:

And whereas it is desirable to make provision for the payment of the compensation moneys in respect of the acquisition of the aforesaid land direct to the New Plymouth City Council (in this section referred to as the **Council**), and also to make provision for the application of those moneys:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928, the said compensation moneys shall be paid directly to the Council, and the Council's receipt therefor shall be a valid and complete discharge of liability for compensation.

- (2) The said compensation moneys shall be paid into a separate account by the Council and be applied in or towards the cost of the acquisition of land for municipal purposes or the erection or construction of buildings, improvements, or amenities of any kind whatsoever on land now or hereafter vested in the Corporation of the City of New Plymouth.
- (3) The endowment land to which this section relates is particularly described as follows:

All that parcel of land situated in the City of New Plymouth containing 2 roods 25 perches and eighty-four hundredths of a perch, more or less, being Lot 1 on a plan deposited in the Land Registry Office at New Plymouth under Number 6686, and being part of Section G, New Plymouth Town Belt, and being the whole of the land comprised and described in certificate of title, Volume 164, folio 55, Taranaki Registry.

4 Vesting certain land in Her Majesty as an addition to the Apiti Domain

Whereas the land described in subsection (3) was purchased in the year 1905 by certain persons who at that time comprised the Apiti Domain Board:

And whereas the purchase was financed by borrowing moneys on the security of a memorandum of mortgage over the said land, which said memorandum of mortgage is registered in the Land Registry Office at Wellington under Number 49705:

And whereas it was intended at the time that on the repayment of the moneys secured by the said memorandum of mortgage the land was to be transferred to the Crown so that it might be constituted an addition to the Apiti Domain:

And whereas the moneys secured as aforesaid have been repaid, but the discharge of the said memorandum of mortgage has not been registered and the certificate of title remains in the names of the persons who purchased the land in the year 1905:

And whereas the said land has been administered and dealt with by the successive Boards controlling the Apiti Domain as part of that domain, and it is desirable that the said land

be vested in Her Majesty the Queen, freed from all encumbrances, as an addition to the said Apiti Domain:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be vested in Her Majesty as a recreation reserve subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Apiti Domain under the control of the Apiti Domain Board, but otherwise freed and discharged from the said memorandum of mortgage Number 49705 and from all other restrictions, encumbrances, liens, and interests whatsoever.
- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to cancel the certificate of title for the said land and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, Pohangina County, containing by admeasurement 5 acres, more or less, being part of Section 19 of Block XI, Apiti Survey District, and being the whole of the land comprised and described in certificate of title, Volume 149, folio 117, Wellington Registry.

5 Terminating a lease granted by the Manukau County Council to the Mangere Board of Trustees

Whereas the Manukau County Council (in this section referred to as the **Council**) was empowered by section 12 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 to lease part of Section 48, Village of Mangere, to certain persons to be known as the Mangere Board of Trustees (in this section referred to as the **Board**) for a site for a parish hall:

And whereas pursuant to the said power the Council, by deed of lease dated 18 December 1922 leased to the Board part of the said Section 48 as therein described for the term of 50 years from 1 January 1923 upon the terms therein set out:

And whereas a hall has been erected on the land subject to the said lease, and it has been agreed between the Council and the Board that the Council should assume the future ownership and control of the said hall:

And whereas it is therefore desirable that the land subject to the said lease, together with all improvements thereon, including the hall, be vested in the Council freed from the said lease:

Be it therefore enacted as follows:

- (1) The lease dated 18 December 1922 granted by the Council to the Board, and the term thereby created, is hereby declared to be terminated and extinguished, and the land heretofore subject to that lease and all buildings and other improvements thereon are hereby declared to be vested in the Chairman, Councillors, and Inhabitants of the County of Manukau freed from all rights and obligations of the Board but subject to all trusts and reservations affecting the same existing prior to the granting of the said lease.
- (2) The Secretary of the Board, acting on behalf of the Board, is hereby empowered to transfer and deliver to the Council any furnishings, chattels, and effects belonging to the Board upon such terms as may be agreed upon between the Board and the Council.
- (3) *Amendment(s) incorporated in the Act(s).*

6 Validating the redefinition of certain land vested in the Auckland University College Council

Whereas certain reserves were vested in the Auckland College Council in trust for the Auckland University College by the Auckland University College Reserves Act 1885 (referred to in this section as the **said Act**):

And whereas 1 of the reserves so vested was described in that portion of the Schedule of the said Act relating to the County of Raglan as Allotment 174 in the Parish of Karamu, and the boundaries thereof were described in that schedule:

And whereas a survey was carried out subsequently, and a certificate of title (Volume 71, folio 94, Auckland Registry) was issued in the name of the Auckland University College Council for the land so surveyed, and that land was described in the

said certificate of title as Allotment 174, Parish of Karamu, but the boundaries thereof differed substantially from the boundaries set out in the Schedule of the said Act:

And whereas doubts have arisen as to the validity of the said certificate of title in so far as it purports to include land which was not included within the boundaries of the said Allotment 174 as defined in the Schedule of the said Act:

And whereas doubts have also arisen concerning the status and ownership of lands not included in the said certificate of title, but included within the boundaries of the said Allotment 174 as defined in the Schedule of the said Act:

And whereas it is expedient that all such doubts be resolved:

Be it therefore enacted as follows:

- (1) The later definition of the boundaries of Allotment 174, parish of Karamu, as delineated on the plan lodged in the office of the Chief Surveyor at Auckland under Number 6730 (blue) and as originally shown on certificate of title, Volume 71, folio 94, Auckland Registry, shall be deemed for all purposes to be correct and valid and to have been at all times substituted for the definition of the boundaries of the said Allotment 174 referred to in the Schedule of the said Act, and the said Act shall be deemed from the commencement thereof to have had effect accordingly.
- (2) All former trusts, reservations, and restrictions affecting lands included in the earlier definition but not included within the boundaries of the said Allotment 174 as defined by the said plan Number 6730 (blue) are hereby revoked.
- (3) Subsection (2) shall be deemed to have come into force on the date of the commencement of the said Act.
- (4) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

7 Vesting certain land in the Crown as an addition to the Hastwell Domain

Whereas the land described in subsection (3) is the site of a hall used by the residents of the district of Hastwell:

And whereas the certificate of title for the land is in the name of 2 persons, now deceased, who originally acquired the land as trustees for the Hastwell Hall Society:

And whereas it is desirable that the said land and the hall situated thereon continue to be available for public use, and it is therefore desirable that the land be vested in Her Majesty as an addition to the Hastwell Domain:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be vested in Her Majesty as a recreation reserve subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Hastwell Domain under the control of the Hastwell Domain Board.
- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to cancel the certificate of title for the said land and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:
All that area in the Wellington Land District containing by ad-measurement 11 perches and one-tenth of a perch, more or less, being part of Section 49, Block XIV, Mangaone Survey District, and being the whole of the land comprised and described in certificate of title, Volume 210, folio 41, Wellington Registry.

8 Confirming the acquisition by the Crown of the Opouturi Block and other lands in the Mangonui District

Whereas in or about the year 1871 negotiations were entered into by officers in the service of the Government of the Province of Auckland for the purchase of the lands described in subsection (3), which said lands were at that time vested in certain Maoris to whom Crown grants for the lands had been

issued in accordance with the law then in force providing for the ascertainment of ownership of lands held by Maoris in accordance with their customs and usages:

And whereas purchases of the said lands were completed and conveyances to either the Crown or the Superintendent of the Province of Auckland were duly executed, but the said conveyances were destroyed by fire on or about 19 November 1872 before they had been recorded in the Deeds Register Office:

And whereas the said lands were subsequently dealt with by the Crown as if the purchases had been completed and valid:

And whereas it is desirable that the purchase of the said lands be confirmed and properly recorded in the Deeds Register Office at Auckland:

Be it therefore enacted as follows:

- (1) The lands described in subsection (3) shall be deemed for all purposes to have been the property of the Crown freed and discharged from all other estates and interests as at 19 November 1872 and all dealings with the said lands as lands of the Crown since that date are hereby confirmed and validated and declared to be and to have been of full force and effect according to their tenor.
- (2) The Registrar of Deeds for the Auckland Deeds Registration District is hereby authorised and directed to make such entries in the Deeds Register as shall be necessary to record the acquisition of the said lands by the Crown.
- (3) The lands to which this section relates are particularly described as follows:

All those areas in the North Auckland Land District, Mangonui County being:

Firstly, the Opouturi Block, containing 250 acres, more or less, situated in Block IV, Takahue Survey District, and Block I, Maungataniwha Survey District, and being all the land contained in a Crown Grant No 991H dated 25 April 1871, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 42: as the same is more particularly delineated on Plan ML 1852, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

Secondly, the Whakapapa Block, containing 470 acres, more or less, situated in Blocks IV and VIII, Takahue Survey District, and Blocks I and V, Maungataniwha Survey District, and being all the land contained in a Crown Grant 994H dated 25 April 1871, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 45: as the same is more particularly delineated on Plan ML 1853, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

Thirdly, the Taumatapukapuka Block, containing 1 430 acres, more or less, situated in Blocks XII and XIII, Rangaunu Survey District, and Blocks III and IV, Takahue Survey District, and being all the land contained in a Crown Grant No 993H dated 25 April 1871, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 44: as the same is more particularly delineated on Plan ML 1854, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

Fourthly, the Patiki Block, containing 4 007 acres, more or less, situated in Blocks II, III, IV, VI, VII, and VIII, Takahue Survey District, and being all the land contained in a Crown Grant No 992H dated 25 April 1871, recorded in the Auckland Deeds Register Office, Volume 3GH, folio 43: as the same is more particularly delineated on Plan ML 1855, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

Fifthly, part of the Taheke Block, containing 325 acres and 1 rood, more or less, situated in Block VIII, Takahue Survey District, being part of the land contained in a Crown Grant No 582H dated 28 November 1866, recorded in the Auckland Deeds Register Office, Volume 2GH, folio 248: as the same is more particularly delineated on Plan ML 338, deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

9 Vesting certain lands in the Crown as additions to the South Malvern Domain

Whereas the lands described in subsection (6) are required for the purpose of additions to the South Malvern Domain:

And whereas it is desirable to make special provision to vest the said lands in the Crown for that purpose as the registered

proprietors under the Land Transfer Act 1915 are no longer living or cannot be traced:

And whereas certain payments have been made to other persons believed to be equitably entitled to the said lands, and it is desirable that those payments be validated:

Be it therefore enacted as follows:

- (1) The lands described in subsection (6) are hereby declared to be vested in Her Majesty as recreation reserves subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and to form part of the South Malvern Domain under the control of the South Malvern Domain Board.
- (2) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed to cancel the certificates of title for the said lands and to do all such other things as shall be necessary to give effect to the provisions of this section.
- (3) Any person claiming to have a legal or equitable interest in the said lands immediately prior to the commencement of this Act shall, on proving any such claim to the satisfaction of the Minister of Lands, be entitled to payment of compensation in respect of his interest.
- (4) Any such compensation shall be paid from the Land Settlement Account and shall not exceed the value of the land as at the date of the commencement of this Act:
provided that no payment of compensation shall be made under this section unless the claim for compensation is made within 5 years from that date.
- (5) All payments heretofore made from the South Malvern Domain Account for the purchase of rights or interests in the said lands are hereby validated and declared to have been lawfully made.
- (6) The lands to which this section relates are particularly described as follows:
All those areas in the Canterbury Land District situated in Block VII, Hororata Survey District, containing together by admeasurement 2 roods 4 perches and five-tenths of a perch, more or less, being Lots 1, 4, 23, and 24 of Block IX on a plan

deposited in the Land Registry Office at Christchurch under Number 10, being parts Rural Section 14756 and being the whole of the lands comprised and described in certificates of title, Volume 29, folio 12, and Volume 6, folio 47, and part of the land comprised and described in certificate of title, Volume 6, folio 40, Canterbury Registry.

10 Making special provision for the setting apart of lands required for the Ruakura Animal Research Station

[Repealed]

Section 10: repealed, on 10 April 1998, by section 48(1) of the Crown Research Institutes Act 1992 (1992 No 47).

11 Authorising the Ohakune Borough Council to transfer certain moneys to the Ohakune Domain Account

Whereas the lands described as Suburban Sections 33, 34, 40, and 42, Town of Ohakune, are controlled by the Ohakune Borough Council (in this section referred to as the **Council**) under the Scenery Preservation Act 1908, and are known as the Jubilee Park Scenic Reserve:

And whereas certain moneys have accrued from the sale of posts and battens split from dead trees removed from the said lands, which moneys are held by the Council in a special account known as the Jubilee Park Scenic Reserve Account:

And whereas the Council desires to apply portion of those moneys towards the improvement and maintenance of the Ohakune Domain which is controlled by the Council in its capacity as the Ohakune Domain Board:

And whereas it is desirable that provision be made accordingly:

Be it therefore enacted as follows:

The Council may, without further authority than this section, transfer the sum of 350 pounds from the Jubilee Park Scenic Reserve Account to the Ohakune Domain Account and apply that sum towards the cost of improving and maintaining the Ohakune Domain.

12 Declaring certain land in Block II, Lyndon Survey District, to be Crown land

Whereas the land described in subsection (2) is administered under the Tourist and Health Resorts Control Act 1908 and control of the said land is vested in the Minister of Health pursuant to section 130 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22:

And whereas it is expedient that the said land be declared Crown land subject to the Land Act 1948 so that portions may be legalised as road and constituted as a public reserve respectively:

Be it therefore enacted as follows:

- (1) The vesting of the control of the land described in subsection (2) in the Minister of Health is hereby cancelled and the said land is hereby removed from the operation of the Tourist and Health Resorts Control Act 1908 and is declared to be Crown land subject to the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Amuri County, Canterbury Land District, situated in Block II, Lyndon Survey District, containing by admeasurement 10 perches and seven-tenths of a perch, more or less, being part of Reserve 3942: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Christchurch, under Number 8425, and thereon bordered red.

13 Authorising the Waitaki County Council to apply the rents received from certain lands for plantation purposes within the County of Waitaki

Whereas the land firstly described in subsection (2) is vested in the Chairman, Councillors, and Inhabitants of the County of Waitaki in trust for plantation purposes:

And whereas the aforesaid trust for plantation purposes has become impossible of performance by reason of the nature of the said land, and all attempts to plant trees on the said land have failed:

And whereas the said land has from time to time been leased for grazing purposes:

And whereas certain moneys derived from the leasing of the said land are held by the Waitaki County Council (referred to in this section as the **Council**), and it is expedient to empower the Council to expend those moneys and all future moneys to be derived from the leasing of the said land towards plantation purposes in such other places within the County of Waitaki as the Council may think fit:

And whereas it is desirable that similar provision be made in regard to any rents received from the land secondly described in subsection (2), which land is also vested in the Chairman, Councillors, and Inhabitants of the County of Waitaki for plantation purposes and is a former closed road adjoining the said land firstly described:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, all moneys now held or to be received hereafter from the leasing of the lands described in subsection (2) may be expended by the Council for plantation purposes in such other places within the County of Waitaki as the Council may think fit.

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

Firstly, all that area in the Otago Land District, containing by admeasurement 1 437 acres and 2 roods, more or less, being Section 20, Block I, Benmore Survey District, and being the whole of the land comprised and described in certificate of title, Volume 180, folio 223, Otago Registry.

Secondly, all that area in the Otago Land District, containing by admeasurement 1 rood 39 perches and two-tenths of a perch, more or less, being Section 1563R, Block I, Benmore Survey District (SO Plan 9333).

14 Declaring certain land in Rotorua Borough now subject to the Tourist and Health Resorts Control Act 1908 to be Crown land

Whereas the land described in subsection (2) is a reserve for recreation purposes and has been brought under the operation of the Tourist and Health Resorts Control Act 1908:

And whereas it is desirable that the said land be declared Crown land subject to the Land Act 1948 freed and discharged from all previous reservations and restrictions:

Be it therefore enacted as follows:

- (1) The land described in subsection (2) shall no longer be subject to the Tourist and Health Resorts Control Act 1908 and the vesting of the control of the said land in the Minister charged with the administration of that Act is hereby cancelled and the said land is hereby declared to be Crown land subject to the Land Act 1948 freed and discharged from all reservations and restrictions for recreation purposes.
- (2) The land to which this section relates is particularly described as follows:

All that area in the South Auckland Land District, Rotorua Borough, containing by admeasurement 2 roods 24 perches and five-tenths of a perch, more or less, being Sections 9, 10, and 11 of Block LXX, Town of Rotorua.

15 Authorising the Stratford Borough Council to sell certain land to the Stratford Hospital Board

Whereas by a warrant issued pursuant to sections 37 and 38 of the Land Act 1877 Amendment Act 1884 dated 20 December 1884, and published in the *Gazette* of the 24th day of that month, the land described in subsection (4) was reserved for an endowment in aid of the Town Board funds for the benefit of the Town of Stratford:

And whereas the said land is now vested in the Corporation of the Borough of Stratford:

And whereas the Stratford Hospital Board is desirous of purchasing the said land:

And whereas it is expedient to empower the Stratford Borough Council to sell the said land to the Stratford Hospital Board by

private contract and apply the proceeds of the sale towards the purchase of other land to be held for endowment purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Stratford Borough Council may sell the land described in subsection (4) to the Stratford Hospital Board by private treaty, in such manner, on such terms, and subject to such conditions as it thinks fit and on the sale all trusts, reservations, and restrictions theretofore affecting the land shall be deemed to be cancelled.
- (2) The net proceeds from the sale of the said land shall be applied in or towards the purchase of other land to be held by the Corporation of the Borough of Stratford in trust as an endowment in aid of the borough funds.
- (3) The District Land Registrar for the Taranaki Land Registration District is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Taranaki Land District, Borough of Stratford, containing by admeasurement 1 acre, more or less, being Sections 958, 959, 996, and 997, Town of Stratford, and being part of the land comprised and described in certificate of title, Volume 158, folio 214, Taranaki Registry.

16 Closing portion of a public street and declaring the same to be vested in the Mayor, Councillors, and Citizens of the City of Wanganui as a recreation reserve and conferring certain extended leasing powers on the Wanganui City Council in respect of the said land

Whereas the land described in subsection (4) is portion of a legal street known as Somme Parade situated within the City of Wanganui and abutting the Wanganui River:

And whereas the fee simple of the said street is vested in the Corporation of the City of Wanganui:

And whereas it is desirable that the said street be closed and constituted a reserve for recreation purposes and it is expedient

that the ordinary powers of the Wanganui City Council (in this section referred to as the **Council**) to lease the said land be extended as hereinafter provided:

Be it therefore enacted as follows:

- (1) The portion of Somme Parade in the City of Wanganui, being the land described in subsection (4), is hereby declared to be closed and to be no longer dedicated as a public street and all rights of the public thereover as a public highway are hereby cancelled and the said land is hereby declared to be vested in the Mayor, Councillors, and Citizens of the City of Wanganui in trust as a reserve for recreation purposes under and subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (2) The powers of the Council to lease the said land under the provisions of section 50 of the Statutes Amendment Act 1938 are hereby extended to enable the Council to include in any lease granted under that section a provision that the lessee shall be entitled to a renewal of the lease on the expiry thereof for a further term of not more than 21 years:
provided that the additional power conferred by this subsection may not be exercised more than once in respect of the same land.
- (3) The District Land Registrar for the Land Registration District of Wellington is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:
All that area in the Wellington Land District, City of Wanganui, situated in Block III, Westmere Survey District, containing by admeasurement 1 acre 1 rood and 2 perches, more or less, abutting the Wanganui River and adjacent to Sections 21 and 22, Right Bank Wanganui River, being the land more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Wellington, under Number 22523, and thereon coloured green.

17 Revoking the reservation over portion of a public utility reserve in the Borough of Oamaru and authorising the Oamaru Borough Council to sell that land

Whereas the land described in subsection (6) is portion of a reserve for the purposes of public utility for the Town of Oamaru and its inhabitants and is vested in Her Majesty the Queen:

And whereas the said land is not required for the purposes for which it is reserved, and the Oamaru Borough Council (in this section referred to as the **Council**) desires to subdivide the said land into building sections for the purposes of sale:

And whereas it is expedient that the Council should be authorised so to do on condition that a sum equivalent to the present value of the said land is credited to a special account and applied in and to the purchase of other lands for recreation purposes or for the improvement of existing reserves held for recreation purposes:

Be it therefore enacted as follows:

- (1) The reservation for public utility over the land described in subsection (6) is hereby revoked and the said land is hereby vested in the Corporation of the Borough of Oamaru subject to the provisions of this section and freed from the trusts, reservations, and restrictions heretofore affecting the same.
- (2) The Council shall pay to a special reserve account a sum equivalent to the value of the said land as determined by the Valuer-General by special valuation and the moneys so paid shall be applied by the Council in the purchase of other land for recreation purposes or for the improvement of existing reserves held for the like purposes or for either or both of the said purposes as the Council may decide.
- (3) Notwithstanding anything to the contrary in any Act, the Council may, without any further authority than this section, subdivide the said land into building lots and may, for the purposes of better subdivision, proclaim, take, or set apart any portion of the said land for public streets. The Council is also hereby authorised to sell such lots of the subdivision by public auction or tender, or public application and ballot at a fixed price, or by private contract, as the Council may, in its discretion, decide.

- (4) Any sale authorised by this section may be for cash or upon such terms as the Council may, in its discretion, decide.
- (5) The District Land Registrar for the Land Registration District of Otago is hereby empowered and directed 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.
- (6) The land to which this section relates is particularly described as follows:

All that area in the Otago Land District situated in the Oamaru Borough containing by admeasurement 10 acres and 1 rood, more or less, being part of Reserve D, Town of Oamaru, bounded by a line commencing at the south-western corner of Lot 1, Brown Settlement, on SO plan 8984; thence westerly along the northern side of Wansbeck Street on a bearing of $281^{\circ}27'$ a distance of 142.85 links; thence north-easterly on a bearing of $45^{\circ}00'$, 67.0 links; thence north-westerly on a bearing of $348^{\circ}33'30''$, 335.03 links; thence westerly on a bearing of $281^{\circ}27'$, 189.62 links; thence northerly on a bearing of $11^{\circ}27'$, 1 602.25 links; thence easterly on a bearing of $101^{\circ}27'$, 144.7 links; thence south-easterly on a bearing of $146^{\circ}27'$, 42.84 links; thence northerly on a bearing of $11^{\circ}27''$, 334.12 links to the southern boundary of the South Island Main Trunk Railway; thence easterly along that boundary on a bearing of $98^{\circ}07'$, 501.61 links to Wye Street; thence southerly along the western side of Wye Street on a bearing of $191^{\circ}27'$, 833.0 links to Stour Street; thence westerly along the northern side of Stour Street on a bearing of $281^{\circ}27'$, 250.0 links; thence southerly on a bearing of $191^{\circ}27'$, 1 466.73 links along the western ends of Stour Street and Rother Street and the western boundaries of Lots 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, and 1, Brown Settlement, to the point of commencement, be all the aforesaid bearings and distances more or less, and being part of the land comprised and described in certificate of title, Volume 46, folio 69, Otago Registry.

18 Validating the construction of a rifle range on portion of the Motuihi Island Domain and providing for its use

Whereas the land described in subsection (3) forms portion of the Motuihi Island Domain under the control of the Auckland City Council acting as the Motuihi Island Domain Board:

And whereas a rifle range has been constructed on the said land for the use and instruction of the personnel of the naval training station known as HMNZS Tamaki:

And whereas no provision exists for the use of any portion of a public domain for a rifle range and it is desirable that the construction of the said rifle range be validated and that provision be made for its use:

Be it therefore enacted as follows:

- (1) The construction of a rifle range on the land described in subsection (3) and the use thereof before the passing of this Act are hereby validated.
- (2) The said land may from time to time be used as a rifle range on such terms and conditions as may be agreed upon between the Minister of Lands, the Minister of Defence, and the Auckland City Council acting as the Motuihi Island Domain Board.
- (3) The portion of the Motuihi Island Domain to which this section relates is particularly described as follows:

All that area in the North Auckland Land District situated in Block XIII, Rangitoto Survey District, containing by admeasurement 13 acres 3 roods and 16 perches, more or less, being part of Motuihe Island (formerly known as Motuihi Island): as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 37009.

19 Effecting exchanges of certain lands owned by Her Majesty, the Greymouth Harbour Board, and the Nelson Diocesan Trust Board

Whereas Section 3633, Town of Greymouth, is vested in the Nelson Diocesan Trust Board:

And whereas Part Reserve 705, Town of Greymouth, which adjoins the said Section 3633, is vested in Her Majesty and is reserved for Government purposes:

And whereas the said Section 3633 and the said Part Reserve 705 are without legal access, being separated from the public street known as Packer's Quay, by certain land vested in the Greymouth Harbour Board in trust (without power of sale) as a harbour endowment and known as Part Reserve 1485, Block XII, Greymouth Survey District:

And whereas it is desirable that exchanges of portions of the above-mentioned lands be effected as hereinafter provided in order that the lands of the Nelson Diocesan Trust Board and Her Majesty may have access to the said Packer's Quay and be realigned to that street:

Be it therefore enacted as follows:

- (1) The vesting of the land firstly described in subsection (7) in the Greymouth Harbour Board is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as a reserve for Police purposes under and subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (2) The reservation over the land secondly described in subsection (7) is hereby revoked and that land is hereby vested in the Greymouth Harbour Board for an estate in fee simple in trust, without power of sale, as a harbour endowment.
- (3) The reservation over the land thirdly described in subsection (7) is hereby revoked and that land is hereby vested in the Nelson Diocesan Trust Board for an estate in fee simple.
- (4) The vesting of the land fourthly described in subsection (7) in the Nelson Diocesan Trust Board is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as a reserve for Police purposes under and subject to Part 1 of the Public Reserves, Domains, and National Parks Act 1928.
- (5) The vesting of the land fifthly described in subsection (7) in the Greymouth Harbour Board is hereby cancelled and that land is hereby vested in the Nelson Diocesan Trust Board for an estate in fee simple.
- (6) The District Land Registrar for the Westland Land Registration District is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

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

All those areas in the Westland Land District, Borough of Greymouth, being—

Firstly, all that area containing by admeasurement 10 perches, more or less, being part of Reserve 1485, Block XII, Greymouth Survey District, and being part of the land comprised and described in certificate of title, Volume 52, folio 51, Westland Registry.

Secondly, all that area containing by admeasurement 10 perches and nine-tenths of a perch, more or less, being part Reserve 705, Town of Greymouth.

Thirdly, all that area containing by admeasurement two-tenths of a perch, more or less, being part Reserve 705, Town of Greymouth.

Fourthly, all that area containing by admeasurement 4 perches and two-tenths of a perch, more or less, being part Section 3633, Town of Greymouth, and being part of the land comprised and described in certificate of title, Volume 26, folio 194, Westland Registry.

Fifthly, all that area containing by admeasurement a total of 8 perches and one-tenth of a perch, more or less, being part of Reserve 1485, Block XII, Greymouth Survey District, and being part of the land comprised and described in certificate of title, Volume 52, folio 51, Westland Registry:

As the same are more particularly delineated on the plan marked L and S 6/7/256, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow, red, green, purple, and blue respectively. (SO Plan 4584.)

20 Authorising the Cheviot County Council to sell or lease certain lands

Whereas the lands described in subsection (5) were vested in the Mackenzie Town Board in the year 1909 in trust, as to the lands firstly described in the said subsection, for municipal purposes and in trust, as to the lands secondly so described, as an endowment or for the use of the said Town Board:

And whereas the district of the Mackenzie Town Board has since been merged in the Cheviot County and the said lands have become vested in the Corporation of that county:

And whereas it is expedient to empower the Cheviot County Council (in this section referred to as the **Council**) to sell or lease the said lands as hereinafter provided:

Be it therefore enacted as follows:

- (1) The Council may, without further authority than this section, sell the lands described in subsection (5) or any part or parts of those lands, by private treaty or otherwise, on such terms and subject to such conditions as it thinks fit, and on the sale of any such land any trust or reservation theretofore affecting the same shall be deemed to be cancelled.
- (2) In addition to the power conferred by subsection (1) and to all powers already held by the Council enabling it to lease the said lands, the Council may grant leases of the said lands or any parts thereof under the Public Bodies Leases Act 1908, and for that purpose the Council is hereby declared to be a leasing authority within the meaning of that Act and shall have and may exercise the powers conferred by that Act.
- (3) The proceeds from all sales of the said lands and all rentals received under any lease granted pursuant to subsection (2) shall be paid by the Council into its General Account and shall form part of its ordinary revenue.
- (4) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to this section.
- (5) The land to which this section relates is particularly described as follows:

Firstly, all those areas in the Canterbury Land District, Cheviot County, containing by admeasurement 3 acres 2 roods and 28 perches, more or less, being Sections 9 and 10 of Block XV, Block XVI, Sections 1 to 7 inclusive of Block XX, and Sections 10, 11, and 13 of Block XXIV, Town of Mackenzie (also known as Reserves 3791 to 3794 inclusive).

Secondly, all those areas in the Canterbury Land District, Cheviot County, containing together by admeasurement

5 acres 1 rood and 10 perches, more or less, being Sections 1 to 8 inclusive of Block XV, and Sections 1 to 14 inclusive of Block XIX, Town of Mackenzie (also known as Reserves 3799 and 3800).

21 Making special provision for the dedication as road of portions of certain lands owned by Homedale Land and Forestry Co., Ltd

Whereas the lands described in subsection (3) are vested in Homedale Land and Forestry Company, Limited, a company incorporated in New Zealand and having its registered office in the City of Wellington (in this section referred to as the **Homedale Company**):

And whereas the said lands are subject to the easement or rights as to water (in this section referred to as the **said easement**) reserved by a certain memorandum of transfer bearing date 1 May 1950 and made between Wainui-O-Mata Development, Limited, a company incorporated in New Zealand and having its registered office in the City of Wellington (in this section referred to as the **Wainui-O-Mata Company**) as vendor of the one part, and the Homedale Company as purchaser of the other part, which said transfer is registered as No 329019, Wellington Registry:

And whereas by the said memorandum of transfer the said easement was expressed to be reserved to the Wainui-O-Mata Company or other the owner or owners occupier or occupiers for the time being of the residue at that time of the land comprised and described in certificates of title, Volume 506, folios 51, 52, 53, and 54, Volume 520, folio 224, Volume 537, folio 271, Volume 547, folio 87, and Volume 551, folios 98 and 99, Wellington Registry:

And whereas since the date of the said memorandum of transfer the Wainui-O-Mata Company has sold or transferred to individual purchasers numerous portions of that residue:

And whereas the Homedale Company is desirous of subdividing for the purposes of sale the land described in subsection (3), and the subdivision will necessitate the dedication of parts of the said land as and for a public road and highway:

And whereas it would be necessary that any land to be dedicated as aforesaid be released from the provisions of the said easement before dedication may be effected, but it is impracticable to arrange this due to the large number of persons whose consent would have to be obtained to the release:

And whereas it is therefore expedient that special provision be made enabling the dedication of lands as aforesaid without first releasing the lands from the provisions of the said easement:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law and notwithstanding the fact that the lands are subject to the said easement, any portions of the lands described in subsection (3) may from time to time be dedicated as public road, street, or highway, and, on completion of registration of any such dedication, the lands so dedicated shall be deemed for all purposes to be freed and released from the provisions of the said easement.
- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The lands to which this section relates are particularly described as follows:

All that area in the Wellington Land District situated in Blocks XVI and XVII, Belmont Survey District, containing by admeasurement 152 acres 1 rood and 12 perches, more or less, being parts of Sections 1, 2, 26, 79, and 80, Wainui-o-mata District, and part of Section 8, Lowry Bay District, and being also Lot 1 on the plan numbered 14521, deposited in the Wellington Land Registry Office, and being all the land comprised and described in certificate of title, Volume 562, folio 116, Wellington Registry.

22 Declaring portion of the Geraldine Domain to be Crown land and dedicating another portion of that domain as public street

Whereas the land described in subsection (3), being reserved for public gardens and recreation ground, is subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and forms part of the Geraldine Domain:

And whereas the remainder of the Geraldine Domain is ample for public gardens and recreation grounds in the Borough of Geraldine, and it is desirable that the said land be freed from the existing reservations and be dealt with as hereinafter provided:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be no longer subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928, and the land firstly described in the said subsection is hereby declared to be Crown land available for disposal by way of sale for cash under the Land Act 1948, and the land secondly described in the said subsection is hereby dedicated as public street.
- (2) The provisions of subsection (2) of section 41 of the Public Reserves, Domains, and National Parks Act 1928 shall apply as if the sale of the lands firstly described in subsection (3) was authorised by an Order in Council under subsection (1) of the said section 41.
- (3) The land to which this section relates is more particularly described as follows:

Firstly, all that area in the Canterbury Land District containing by admeasurement 2 acres 18 perches and eight-tenths of a perch, more or less, being Lots 1 to 11 (inclusive) on a plan deposited in the Land Registry Office at Christchurch under Number 16518, and being part of Reserve 1624 situated in the Borough of Geraldine.

Secondly, all that area in the Canterbury Land District containing by admeasurement one-tenth of a perch, more or less, being Lot 12 on a plan deposited in the Land Registry Office,

at Christchurch, under Number 16518, and being part of Reserve 1624 situated in the Borough of Geraldine.

23 Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948

Whereas the lands described in subsection (2) are set apart as permanent State forest land, and it is desirable that they should be declared Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

- (1) The setting apart of the lands described in subsection (2) as permanent State forest land is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948.
- (2) The lands to which this section relates are particularly described as follows:

Firstly, all that area in the Hokianga County, North Auckland Land District, containing by admeasurement 15 acres, more or less, being Section 15, Block VI, Hokianga Survey District. (North Auckland SO Plan 12029.)

Secondly, all that area in the Waimea County, Nelson Land District, containing by admeasurement 76 acres, more or less, being Section 182, Square 2, situated in Block VIII, Wai-iti Survey District. (Nelson SO Plan 4420.)

Thirdly, all that area in the Waimea County, Nelson Land District, containing by admeasurement 90 acres 2 roods and 20 perches, more or less, being Section 2 and part of Section 15, Block III, Wangapeka Survey District: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Nelson, under Number 9773, and thereon bordered red.

Fourthly, all that area in the Mackenzie County, Canterbury Land District, containing by admeasurement 13 acres 2 roods and 16 perches, more or less, being Reserve 3245, situated in Block XIV, Tengawai Survey District. (Canterbury SO Plan 1435L.)

Fifthly, all that area in the Thames County, South Auckland Land District, containing by admeasurement 26 acres 1 rood and 18 perches, more or less, being part of Whangamata Num-

bers 1 and 2 Blocks, situated in Blocks XII and XVI, Tairua Survey District, and being part of the land comprised and described in certificates of title, Volume 9, folios 63 and 64, Auckland Registry: as the same is more particularly delineated on the plan marked L and S 22/1432/29A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (South Auckland SO Plan 35854.)

Sixthly, all those areas in the Piako County, South Auckland Land District, situated in Block VIII, Hapuakohe Survey District, containing by admeasurement 107 acres 1 rood and 11 perches, more or less, being parts Hoe-o-Tainui North 6B 2J 2 Block: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 35494, and thereon bordered red.

Seventhly, all that area in the Whangaroa County, North Auckland Land District, containing by admeasurement 479 acres 2 roods and 30 perches, more or less, being part of the land set apart as permanent State forest by Proclamation dated 21 September 1938, and published in the *Gazette* of the 29th day of that month at page 2144, and being also the land now known as Section 7 and Part Section 18 of Block VII and Section 18 of Block XI, Mangonui Survey District: as the same is more particularly delineated on the plan marked L and S 10/91/39, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Eighthly, all that area in the Thames County, South Auckland Land District, containing by admeasurement 27 acres 2 roods and 15 perches, more or less, being part Wharekawa East Number 2 Block and being part of the land comprised and described in certificate of title, Volume 9, folio 17, Auckland Registry, and being also the land now known as Section 7, Block IV, Tairua Survey District (South Auckland SO Plan 35814).

24 Adding an area of Crown land to the Ngakuta Domain

Whereas the land described in subsection (3) is vested in Her Majesty pursuant to section 13 of the Land Subdivision in Counties Act 1946 as Crown land available for disposal for cash:

And whereas it is not desired to dispose of the said land for cash, but it is desirable that the said land be added to the Ngakuta Domain under the control of the Ngakuta Domain Board:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be no longer subject to the provisions of subsection (2) of section 13 of the Land Subdivision in Counties Act 1946 and the said land is hereby declared to be set apart as a recreation reserve subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and to form part of the Ngakuta Domain under the control of the Ngakuta Domain Board.
- (2) The District Land Registrar for the Marlborough Land Registration District is hereby authorised and directed to make such entries in the register books 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 Marlborough Land District situated in Block XI, Linkwater Survey District, containing by admeasurement 1 rood 34 perches and three-tenths of a perch, more or less, being Lot 1 on the plan deposited in the Land Registry Office at Blenheim under Number 1629, being part of Tom's Grant, Queen Charlotte Sound Registration District, and being part of the land originally comprised and described in certificate of title, Volume 34, folio 156, Marlborough Registry.

25 Vesting the property of the Hampden Athenaeum in the Corporation of the Borough of Hampden and dissolving the Hampden Athenaeum

Whereas it was provided by an Ordinance of the Superintendent of the Province of Otago intituled the Hampden Mechanics' Institute Reserve Management Ordinance 1871 that the land firstly described in subsection (6) should be vested in the body incorporated under that Ordinance by the name of the Trustees of the Hampden Mechanics' Institute, and it was fur-

ther provided that the Superintendent should have power to execute a conveyance to effect the vesting:

And whereas it appears that no such conveyance was ever executed, but the said land has been administered by the Hampden Athenaeum (in this section referred to as the **Athenaeum**), a body duly incorporated under the Public Libraries Powers Act 1875 and now operating under the provisions of the Libraries and Mechanics' Institutes Act 1908:

And whereas the said Athenaeum is the registered proprietor of certain other lands, being the lands secondly described in subsection (6):

And whereas the Hampden Borough Council (in this section referred to as the **Council**) is desirous of constructing a war memorial community centre in the Borough of Hampden, and it has been agreed between the Council and the Athenaeum that the Council shall take over the assets, liabilities, and functions of the Athenaeum for the furtherance of that project, and in particular shall take over all of the lands hereinbefore referred to as a site for the proposed community centre:

And whereas it is desirable that provision be made to give effect to the wishes of the Council and the Athenaeum as hereinafter provided:

Be it therefore enacted as follows:

- (1) The lands described in subsection (6) are hereby freed from all trusts and reservations heretofore affecting the same and are declared to be vested in the Corporation of the Borough of Hampden in trust as a reserve for a site for a war memorial community centre under and subject to the provisions of the Public Reserves, Domains, and National Parks Act 1928.
- (2) The War Memorial community centre to be constructed on the said lands shall be in the form of a public hall for the purposes of meetings and entertainments and similar purposes, but may provide for such other amenities as the Council thinks fit, and in particular may provide for a public library and for facilities for the Royal New Zealand Society for the Health of Women and Children.
- (3) All the personal property of whatsoever nature, including the benefit of all contracts and agreements and all rights and

powers exercisable thereunder or pertaining thereto, belonging to the Athenaeum are hereby vested in the Corporation free from all trusts and reservations heretofore affecting the same, and all debts and other liabilities lawfully incurred by the Institute and existing on the passing of this Act shall hereafter be debts and liabilities of the Corporation, and the Council is hereby authorised and empowered to discharge the said debts and liabilities out of its ordinary revenues.

- (4) The Athenaeum is hereby dissolved.
- (5) The District Land Registrar for the Land Registration District of Otago is hereby authorised and empowered to make such entries in the register books, issue such certificates of title, and do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The lands hereby vested in the Corporation of the Borough of Hampden are particularly described as follows:
Firstly, all that area in the Otago Land District, Borough of Hampden, containing by admeasurement 1 rood, more or less, being Section 20 of Block XXVII, Town of Hampden.
Secondly, all that area in the Otago Land District, Borough of Hampden, containing by admeasurement 1 acre, more or less, being Sections 6, 7, 21, and 22 of Block XXVII, Town of Hampden, and being the whole of the lands comprised and described in certificates of title, Volume 26, folio 69, Volume 67, folio 124, Volume 169, folio 188, and Volume 215, folio 129, limited as to parcels and title, Otago Registry.
- (7) The Hampden Mechanics' Institute Reserve Management Ordinance 1871 is hereby repealed.

26 Revesting portion of the Mangapehi Domain in the former owners thereof

Whereas part of Rangitoto-Tuhua 68G 2D 2 Block, being Maori freehold land situated in Block IX, Mapara Survey District, Taranaki Land District, was taken for the purposes of a recreation ground by Proclamation under the Public Works Act 1928 dated 28 March 1951, and published in the *Gazette* of 5 April of that year:

And whereas by Order in Council dated 18 July 1951, and published in the *Gazette* of the 19th day of that month, the said land (described in the said Order in Council as Section 3, Block IX, Mapara Survey District) was declared to be a public domain to be known as the Mangapehi Domain and to be subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928:

And whereas it is expedient that portion of the said land should be revested in those persons who, on the commencement of this Act, would have been entitled thereto if the land had not been taken by the said Proclamation:

Be it therefore enacted as follows:

- (1) The land described in subsection (5) is hereby declared to be no longer set apart as a recreation ground and no longer subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and the said land is hereby revested in those persons who, on the commencement of this Act, would have been entitled thereto if the land had not been taken by the said Proclamation.
- (2) The said Proclamation and the said Order in Council are hereby revoked in so far as they relate to the land described in subsection (5) and, to the extent of the revocation, are hereby declared to be absolutely void and of no effect as from the date of the making thereof.
- (3) The provisions of subsections (3) and (4) of section 27 of the Public Works Act 1928 shall apply to the land described in subsection (5) in the same manner for all purposes as if the partial revocation of the said Proclamation had been effected under that section.
- (4) The District Land Registrar for the Taranaki Land Registration District is hereby authorised and directed to make such entries in the register books as may be necessary to give effect to the provisions of this section.
- (5) The land hereby revested in its former owners is particularly described as follows:

All that area in the Taranaki Land District, situated in Block IX, Mapara Survey District, containing by admeasurement 1 acre and 37 perches, more or less, being part of Ran-

gitoto-Tuhua 68G 2D 2 Block and being part of the land comprised and described in provisional register, Volume 12, folio 99, Taranaki Registry: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at New Plymouth, under Number 8503, and thereon bordered red.

27 Empowering the Auckland City Council to lease portion of the Auckland Domain to the Auckland Rugby League
[Repealed]

Section 27: repealed, on 16 December 1987, by section 15 of the Auckland Domain Act 1987 (1987 No 7 (L)).

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

Whereas the Hutt Park Committee, a body corporate constituted by the Hutt Park Act 1907 (in this section referred to as the **Committee**), of the one part, and the Mayor, Councillors, and Citizens of the City of Lower Hutt, acting by and through the Lower Hutt City Council (in this section referred to as the **Council**), of the other part, have entered into and executed a certain deed of agreement dated 2 June 1952:

And whereas the said agreement provides for the Council to close portion of the public street known as Hutt Park Road and transfer the same to the Committee in exchange for certain lands required for street purposes and also provides for matters incidental to that exchange and concerning the lands involved therein, and for the granting to the Council of an easement over portion of the Committee's land at present occupied by a sewerage pumping station:

And whereas a copy of the said agreement is deposited in the Head Office, Department of Lands and Survey, at Wellington, under Wellington Deed Number 1677 (L and S 1/687):

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

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the said agreement is hereby declared to be valid and bind-

ing in all respects and to have full effect according to the tenor thereof, and the Council and the Committee shall be deemed to have and to have had all powers and authorities necessary to enter into and execute the same and to do all things requisite for the carrying out of the terms and conditions thereof and to execute the necessary documents to give effect thereto:

provided that nothing in this section shall be construed, by implication or otherwise, to close the portion of Hutt Park Road described in the said agreement or to confer on the Council any additional power to effect or arrange any such closing.

- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to deposit such plans, accept such documents for registration, and do all such other things as may be necessary to give effect to the provisions of the said agreement.

29 Authorising the Nelson Institute to sell certain land to the present lessee thereof

Whereas the land described in subsection (4) is vested in the Nelson Institute, a body incorporated by the Nelson Institute Act 1907:

And whereas the said land has been leased for many years and the said Nelson Institute is now desirous of selling all its estate and interest therein to the present lessee:

And whereas it is desirable that provision be made accordingly:

Be it therefore enacted as follows:

- (1) The Nelson Institute is hereby authorised and empowered to sell all its estate and interest in the land described in subsection (4) to the present lessee thereof on such terms and subject to such conditions as to payment of purchase money or otherwise as the said Nelson Institute thinks fit, and on the sale the said land shall be deemed to be freed and discharged from all trusts, reservations, and restrictions, if any, heretofore affecting the same.
- (2) The net proceeds from the sale of the said land shall be applied by the said Nelson Institute for such purposes not inconsistent with its objects as it thinks fit.

- (3) The District Land Registrar for the Nelson Land Registration District is hereby authorised and empowered to accept such documents for registration and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:
- All that area in the Nelson Land District, containing by admeasurement 196 acres, more or less, being Sections 16 and 18 of Block VII, Tadmor Survey District, and being the whole of the land comprised and described in certificate of title, Volume 24, folio 80, Nelson Registry, but excluding therefrom the railway reserve 150 links wide intersecting the said Section 16.

30 Declaring the Te Aroha Racecourse reserve to be Crown land

Whereas the land described in subsection (3), being the site of the Te Aroha Racecourse, was set apart as a racecourse reserve by the Te Aroha Recreation Ground and Racecourse Act 1892 and is vested in trustees pursuant to that Act and to the provisions of the Public Reserves, Domains, and National Parks Act 1928:

And whereas it is desirable that the said land be declared Crown land subject to the Land Act 1948 in order that the same may be sold to the Te Aroha Jockey Club, Incorporated, and it is also desirable that the said trustees be empowered to transfer all their assets to that club:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Te Aroha Recreation Ground and Racecourse Act 1892, the setting apart of the land described in subsection (3) as a racecourse reserve is hereby revoked and the said land is hereby declared to be vested in Her Majesty as Crown land subject to the Land Act 1948.
- (2) The trustees in whom the said land was vested prior to the passing of this Act shall, without further authority than this section, transfer and deliver to the Te Aroha Jockey Club, Incorporated,

ated, all moneys and other personal property held by them for the benefit of the said land, and the receipt of the club for any such moneys or personal property shall be a good and sufficient discharge to the trustees and shall discharge them from further liability or responsibility in connection with the said land.

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

All that area in the Piako County, South Auckland Land District, containing by admeasurement 121 acres, more or less, being the northern portion of Section 5, Block XI, Aroha Survey District: as the same is more particularly delineated on the plan marked L and S 1/669, lodged in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

31 Making provision for vesting the control of scenic reserves in the Ohakune district in the Ohakune Domain Board, and setting apart portion of the Ohakune Domain as a scenic reserve

Whereas it is desirable that special provision be made to enable the control of certain scenic reserves in the Ohakune district to be vested in the Domain Board for the time being controlling the Ohakune Domain (at present the Ohakune Borough Council), with power for that Domain Board to apply moneys accrued from any such reserves for the betterment of the Ohakune Domain and to apply moneys derived from that domain for the administration of the scenic reserves:

And whereas it is desirable that the portion of the Ohakune Domain described in subsection (5) be set apart as a scenic reserve:

Be it therefore enacted as follows:

- (1) The Governor-General may from time to time, by Order in Council, vest the control of any scenic reserve subject to the Scenery Preservation Act 1908 and situated in the Karioi or Makotuku Survey Districts in the Domain Board for the time being having the control under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 of the Ohakune Do-

main upon such trusts and with such powers and subject to such conditions as are declared by any such Order in Council. Any such Order in Council shall take effect according to the tenor thereof and may be at any time in like manner amended or revoked.

- (2) While the control of any such scenic reserve remains vested in the Domain Board as aforesaid it shall not be necessary for the Board to keep separate books of account in respect of the reserve, but all moneys derived from the reserve shall instead be paid into the Board's ordinary account and form part of its ordinary funds, and any moneys in the Board's account, whether derived from the reserve or otherwise, may be expended for the maintenance, administration, and benefit of either the reserve or the Ohakune Domain.
- (3) On the making of any Order in Council under this section all previous appointments for the control of the scenic reserve affected by the Order shall be deemed to be revoked and all moneys held in respect of the scenic reserve shall be paid into the Ohakune Domain Account.
- (4) The land described in subsection (5) is hereby declared to be no longer portion of the Ohakune Domain and no longer subject to the Public Reserves, Domains, and National Parks Act 1928, and that land is hereby set apart as a scenic reserve under and subject to the Scenery Preservation Act 1908.
- (5) The land to which subsection (4) relates is particularly described as follows:

All that area in the Waimarino County, Wellington Land District, containing by admeasurement 92 acres 1 rood 25 perches and three-tenths of a perch, more or less, being part section 24C, Block VIII, Makotuku Survey District: as the same is more particularly delineated on the plan marked L and S 1/169, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (Wellington SO Plans 16346 and 17976.)

32 Vesting part of Sections 45 and 46, Whenuakura District, in Her Majesty

Whereas in or about the year 1881 Sections 45 and 46, Whenuakura District, Taranaki Land District, were subdivided and the plan of subdivision was deposited in the Land Registry Office at New Plymouth under Number 59:

And whereas the subdivision divided the said Sections 45 and 46 into 9 lots and a strip of land 25 links wide, being the land described in subsection (3) (in this section referred to as the **access strip**) for the purpose of a right of way to give access to those 9 lots:

And whereas the said 9 lots were transferred but the access strip was retained by the subdividing owners and is still in their names:

And whereas the Crown has acquired the 9 lots and wishes to acquire the access strip in order that the said Sections 45 and 46 may be resubdivided and disposed of to ex-servicemen:

And whereas it is desirable to make special provision vesting the access strip in Her Majesty as the registered proprietors thereof are no longer living:

Be it therefore enacted as follows:

- (1) The access strip is hereby vested in Her Majesty as Crown land subject to the Land Act 1948 freed and discharged from all rights or interests heretofore affecting the same and shall be deemed for all purposes to have been so vested from 14 November 1950, being the date of acquisition by the Crown of the other portions of Sections 45 and 46, Whenuakura District.
- (2) The District Land Registrar for the Land Registration District of Taranaki is hereby authorised and directed to cancel the certificate of title for the access strip and do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The access strip hereby vested in Her Majesty the Queen is particularly described as follows:

All that area in the Patea County, Taranaki Land District, containing by admeasurement 1 acre 3 roods and 29 perches, more or less, being part Sections 45 and 46, Whenuakura District,

and being the balance of the land comprised and described in certificate of title, Volume 7, folio 178, Taranaki Registry. (Plan DP 59.)

33 Special provisions with respect to the leasing of portions of the Lake Okataina Scenic Reserve

- (1) Notwithstanding anything to the contrary in the Scenery Preservation Act 1908 or in any other Act, the Minister in Charge of Scenery Preservation may grant leases in respect of the lands described in subsection (6) (being portions of the Lake Okataina Scenic Reserve) in accordance with the provisions of this section on such terms and conditions as he thinks fit.
- (2) Any lease granted pursuant to this section may authorise the erection of premises to be used as a tourist house and, notwithstanding that the said land is part of a scenic reserve the Licensing Control Commission may authorise and the appropriate Licensing Committee may issue, in their discretion, a tourist house licence in respect of the premises.
- (3) Any lease under this section may be for a term of 21 years and may confer on the lessee a right of renewal for 1 further like term with a further provision that if on the expiry of the renewal term the Minister and the Board or other authority at that time having control of the Lake Okataina Scenic Reserve are of the opinion that any tourist house erected on the said lands should continue in operation, then the Minister may at his option purchase the improvements on the said lands or should he not wish to do so then the lessee shall have the right to a lease for 2 further terms of 21 years subject to such terms and conditions as the Minister may at that time think fit:
provided that if on the expiry of the renewal term the Minister and the Board are of the opinion that the tourist house should not continue in operation then the lessee shall have the right to remove all improvements effected by him on the said land.
- (4) The rental under any lease issued pursuant to this section shall be paid to the Lake Okataina Scenic Board and shall be applied by it towards the management, administration, and improvement of the reserves under its control.

- (5) The District Land Registrar for the Auckland Land Registration District shall, on application being made to him in that behalf by the Commissioner of Crown Lands for the South Auckland Land District and on completion of such surveys if any as may be necessary, issue a certificate of title under the Land Transfer Act 1915 for the lands described in subsection (6) in the name of Her Majesty and is hereby authorised and directed to register against any such certificate of title any lease issued under this section or any other registerable instrument affecting the said land presented to him for registration.
- (6) The lands to which this section relates are particularly described as follows:
All those areas in the South Auckland Land District, Block XVI, Rotoiti Survey District being—
Firstly, 1 acre and 2 roods, approximately, being part of Okataina Number 3 Block.
Secondly, 2 acres 1 rood and 4 perches, approximately, being part of Okataina Number 4 Block:
As the said lands are more particularly delineated on the plan marked L and S 4/215/1A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. (SO Plan 35970.)
- (7) *Amendment(s) incorporated in the Act(s).*

34 Vesting certain lands in Mount Maunganui Golf Lands, Limited

Whereas the lands described in subsection (3) (in this section referred to as the **said lands**) have become vested in Her Majesty under the provisions of section 13 of the Land Subdivision in Counties Act 1946 as Crown land available for disposal for cash:

And whereas immediately prior to the said vesting the said lands were owned by Mount Maunganui Golf Lands, Limited, a company duly incorporated under the Companies Act 1933, and having its registered office at Tauranga (in this section referred to as the **company**):

And whereas it was agreed that the said lands would be returned to the company without fee or charge if the company

transferred certain other lands on which a golf course has been constructed to the Crown by way of gift as and for the purposes of a public domain:

And whereas the transfer of those other lands to the Crown has been completed and it is therefore desirable that the said lands be returned to the company:

Be it therefore enacted as follows:

- (1) The said lands are hereby declared to be no longer subject to the provisions of section 13 of the Land Subdivision in Counties Act 1946 and are hereby vested in the company for an estate in fee simple.
- (2) The District Land Registrar for the Auckland Land Registration District is hereby authorised and directed, on application being made to him in that behalf, and without payment of any fee, to issue a certificate of title for the said lands in the name of the company and to do all such other things as may be necessary to give effect to the provisions of this section.
- (3) The lands to which this section relates are particularly described as follows:

All those areas situated in Block VII, Tauranga Survey District, South Auckland Land District, being—

Firstly, all that area containing by admeasurement 34 perches and six-tenths of a perch, more or less, being Lot 23 on the plan deposited in the Land Registry Office at Auckland under Number S 235 and being part of Omanu 2B 1 and 2B 2 Blocks.

Secondly, all those areas containing together by admeasurement 1 acre 1 rood 37 perches and one-tenth of a perch, more or less, being Lots 29, 33, 42, 49, 55, 61, and 70 on the plan deposited as aforesaid under Number S 865 and being parts of Omanu 2B 1 and 2B 2 Blocks.

35 Applying certain provisions as to leasing powers to Reserves 1778 and 1779, Block XII, Greymouth Survey District

Whereas the Greymouth Harbour Board (in this section referred to as the **Board**) is the owner of Reserves 1778 and 1779, Block XII, Greymouth Survey District, in trust for endowment purposes:

And whereas it is desired to give the Board certain leasing powers in respect of the said land:

Be it therefore enacted as follows:

The powers conferred by subparagraphs (i), (ii), and (iii) of paragraph (e) of section 124 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913, as substituted by section 75 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914 shall apply in respect of the said Reserves as if they were included in the land to which the said subparagraphs apply.

36 Removing portion of Allotment 66A 2, Waipa Parish, from the operation of section 19 of the Reserves and Other Lands Disposal Act 1938

Whereas by section 19 of the Reserves and Other Lands Disposal Act 1938 certain freehold and leasehold lands then owned by the Waikato Land Settlement Society were vested in the Crown, and provision was made for disposal of those lands by way of agreement for sale and purchase with a further provision making the disposals subject to certain restrictions as to power of further alienation:

And whereas portion of those lands, being Allotment 66A 2 and parts Allotment 66A 4, Waipa Parish, together with a leasehold interest in Allotment 57 of that parish, formed a block known as the Karakariki Block:

And whereas that block has been subdivided and portions have been disposed of by way of agreement for sale and purchase and other portions have been set apart as reserves, but the portion thereof described in subsection (2) has not been alienated or set apart for any special purpose and forms the residue of the block:

And whereas in the year 1939 the Crown acquired an additional area of land, being Allotments 66A 1 and 66B 2A, Waipa Parish, adjoining the original Karakariki Block, and portions of that additional area have been disposed of by incorporation in agreements for sale and purchase of adjoining subdivisions of the lands acquired from the Waikato Land Settlement Society, and the balance of the additional area, comprising

348 acres, more or less, remains available for disposal under the Land Act 1948:

And whereas it is desirable that the balance of the aforementioned additional area be disposed of under the Land Act 1948 together with the residue of the original Karakariki Block as 1 holding but without the latter area being subject to the special provisions of the said section 19 of the Reserves and Other Lands Disposal Act 1938, and it is desirable that provision be made to enable this to be done:

Be it therefore enacted as follows:

- (1) The land described in subsection (2) is hereby declared to be no longer subject to the provisions and operation of either section 19 of the Reserves and Other Lands Disposal Act 1938 or the agreement referred to in that section, and that land is hereby declared to be vested in Her Majesty as Crown land available for disposal under the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Waipa County, South Auckland Land District, situated in Block XIV, Newcastle Survey District, containing by admeasurement 45 acres 2 roods and 16 perches, more or less, being part of Allotment 66A 2, Waipa Parish: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Auckland, under Number 35864, and thereon bordered red.

37 Authorising the Wellington City Council to transfer portion of the Wellington Town Belt to the Crown

Whereas the land described in subsection (4) is vested in the Corporation of the City of Wellington for an estate in fee simple upon trust as a recreation ground for the inhabitants of the City of Wellington:

And whereas the said land forms portion of the Wellington Town Belt:

And whereas the said land is required by the Crown for the purposes of making portions thereof available as residential sites to persons whose properties have been acquired for the enlargement of the Rongotai Aerodrome:

And whereas the Wellington City Council (in this section referred to as the **Council**) has agreed to transfer the said lands to the Crown in return for a grant in fee simple without any trust, reservation, or restriction of certain other land of at least equal area:

And whereas it is desirable that the Council be empowered to effect the transfer accordingly:

- (1) The Council may transfer to Her Majesty the Queen all its estate and interest in the land described in subsection (4) or any part or parts of that land, and on registration of the transfer the lands transferred shall become freed and discharged from all trusts, reservations, and restrictions theretofore affecting the same and shall be held by Her Majesty under the Public Works Act 1928 for the purposes set out in subsection (1) of section 30 of the Finance Act (No 2) 1945, and may be dealt with in the manner provided by that section.
- (2) On completion of any transfer from the Council under subsection (1), or as soon as may be convenient thereafter, the Governor-General may, without further authority than this section grant to the Corporation of the City of Wellington for an estate in fee simple in possession such area of land situated in the vicinity of Kilbirnie Park as may be agreed upon, which land shall be of not less area than the portion of the Town Belt transferred to the Crown and shall be held by the said Corporation under the Municipal Corporations Act 1933.
- (3) The District Land Registrar for the Wellington Land Registration District is hereby authorised and empowered to accept such documents for registration and do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, City of Wellington, containing by admeasurement 9 acres 2 roods and 16 perches and three-tenths of a perch, more or less, being part of the Town Belt, Town of Wellington, and being also part of the land on a plan deposited in the Land Registry Office at Wellington, under Number 8914, and being part of the land

comprised and described in certificate of title, Volume 401, folio 283, Wellington Registry, limited as to title: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor, at Wellington, under Number 23059, and thereon edged blue.

Section 37(4): replaced, on 27 November 1953, by section 33 of the Reserves and Other Lands Disposal Act 1953 (1953 No 107).

38 Authorising the Auckland City Council to sell certain land to the Auckland Metropolitan Drainage Board
[Repealed]

Section 38: repealed, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

39 Vesting certain land in Reefton Working Men's Club and Mutual School of Arts

Whereas on 22 January 1942 the registration of the Inangahua Gold and Coal Miners' Industrial Union of Workers, No 82, was cancelled:

And whereas new unions were subsequently formed under the name of the Inangahua Gold and Coal Miners' Industrial Union of Workers and the Waiuta Quartz Goldminers' Industrial Union of Workers respectively and having as members persons who were members of the former union:

And whereas at the date of the cancellation of the registration of the Inangahua Gold and Coal Miners' Industrial Union of Workers, No 82, that union was the registered proprietor of the land described in subsection (2), but no action was taken before that date for the disposition of the land:

And whereas at separate meetings of the 2 unions subsequently formed resolutions were passed that the said land should be vested in the Trustees of the Reefton Working Men's Club and Mutual School of Arts, a society registered under the Friendly Societies Act 1909:

And whereas it is desirable that the land be vested accordingly:

Be it therefore enacted as follows:

- (1) The land described in subsection (2) is hereby declared to be vested in the Trustees of the Reefton Working Men's Club and Mutual School of Arts, and the District Land Registrar for the

Land Registration District of Nelson is hereby authorised and directed to register those trustees as the proprietors of an estate in fee simple in the land and to issue such documents and make such entries in the register book as may be necessary to give effect to the provisions of this section.

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

All that area in the Nelson Land District containing by admeasurement 24 perches, more or less, being part of Sections 244, 245, and 246, Town of Reefton, and being the whole of the land comprised and described in certificate of title, Volume 12, folio 253, Nelson Registry.

40 Provisions as to reclamation of lands in Lyall Bay and Evans Bay and for the vesting of certain other land in the Wellington Harbour Board

Whereas by the Wellington Harbour Board Reclamation and Empowering Act 1908 certain lands were vested in the Wellington Harbour Board (in this section referred to as the **Board**) which was empowered to reclaim portions thereof from the sea:

And whereas it is expedient that some parts of those lands (being the lands firstly described in subsection (6)) should be used for the extension northwards of the Rongotai Aerodrome and other parts for various purposes arising in connection with the development of the aerodrome:

And whereas the Crown proposes to acquire those parts of the said lands and, with the consent of the Board, has commenced to reclaim those parts:

And whereas by section 20 of the Reserves and Other Lands Disposal Act 1936 and the agreement therein referred to the Board was authorised to reclaim an area of approximately 245 acres therein described (in this section referred to as the **Point Howard land**) which were to vest in the Board as and when so reclaimed:

And whereas it will facilitate arrangements for the reclamation of the Point Howard land if that land is vested in the Board before reclamation:

And whereas by the Wellington City Reclamation and Empowering Act 1936 the Corporation of the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**) was authorised to reclaim certain lands at Lyall Bay:

And whereas the said lands at Lyall Bay have not yet been reclaimed by the Corporation and it is now expedient that for the purpose of extending the said aerodrome the said lands at Lyall Bay and certain other lands at Lyall Bay be reclaimed by Her Majesty the Queen and that the Wellington City Reclamation and Empowering Act 1936 be repealed:

Be it therefore enacted as follows:

- (1) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1950.
- (2) The Minister of Works is hereby authorised and empowered, subject to agreement by the Board, to reclaim from the sea the lands firstly described in subsection (6), and on the reclamation of the said lands by the Crown all rights of the Board in respect of that land under the Wellington Harbour Board Reclamation and Empowering Act 1908 shall be deemed to be extinguished.
- (3) The Point Howard land is hereby vested in the Board for the same purposes and subject to the same terms and conditions as if it had been reclaimed by the Board under section 20 of the Reserves and Other Lands Disposal Act 1936.
- (4) The Minister of Works is hereby authorised and empowered to reclaim from the sea the land secondly described in subsection (6), and the Wellington City Reclamation and Empowering Act 1936 is hereby repealed.
- (5) Section 20 of the Reserves and Other Lands Disposal Act 1936 and the agreement therein referred to shall hereafter be read subject to the provisions of this section.
- (6) The lands which the Minister of Works is authorised to reclaim from the sea under subsections (2) and (4) are described as follows:

Firstly, all that area at the southern end of Evans Bay containing approximately 102 acres, being part of the land vested in the Board by the Wellington Harbour Board Reclamation and Empowering Act 1908, and shown edged red on the plan

marked MD 9453, deposited in the office of the Minister of Marine:

Secondly, all that area lying south of the aerodrome containing approximately 52 acres, shown edged red on the plan marked MD 9454, deposited in the office of the Minister of Marine.

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Notes

1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1952. The reprint incorporates all the amendments to the Act as at 1 November 2010, 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)*

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37): section 113(1)

Crown Research Institutes Act 1992 (1992 No 47): section 48(1)

Auckland Domain Act 1987 (1987 No 7): section 15

Reserves and Other Lands Disposal Act 1953 (1953 No 107): section 33
