

**Reprint
as at 19 July 1990**



**Reserves and Other Lands Disposal
Act 1954**

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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 1954.

2 Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title

Whereas the area coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 22538 is a road within the meaning of section 110 of the Public Works Act 1928:

And whereas portions of the aforesaid area of road were included in certain certificates of title issued for parts of Section 39, Hutt District, situated in Block IX, Belmont Survey District, without first having been closed:

And whereas the areas coloured blue, sepia, and orange on the aforesaid plan Number 22538 have been used as a public road without legal authority:

And whereas, to put in order the certificates of title which have been issued affecting the lands concerned, it is expedient that the said area of road coloured green on the said plan should be closed as from 1 October 1886, and the said areas coloured blue, sepia, and orange on the said plan should be proclaimed road as from the same date:

Be it therefore enacted as follows:

- (1) The area of road coloured green on the said plan Number 22538 is hereby declared to be and to have been closed and to have formed part of Section 39, Hutt District, situated in Block IX, Belmont Survey District, as from 1 October 1886.
- (2) The areas coloured blue, sepia, and orange on the said plan Number 22538 are hereby declared to have been proclaimed road as from 1 October 1886.
- (3) Certificates of title, Volume 57, folio 112, Volume 348, folio 38, Volume 391, folio 72, Volume 507, folio 225, and Volume 517, folio 290, Wellington Registry, are hereby validated and declared to be and to always have been of full force and effect as from the date they were issued.
- (4) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books and in the outstanding certificates

of title and to do all such other things as may be necessary to give effect to the provisions of this section.

3 Closing certain portions of a public road and declaring certain lands to be public road in Block XII, Manganui Survey District, and validating the issue of certain leases, certificates of title, and Proclamations

Whereas the areas coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 22910 are roads within the meaning of section 110 of the Public Works Act 1928:

And whereas the aforesaid areas of road were included in Sections 6, 8, 11, 12, 13, 15, 16, and 17, Block XII, Manganui Survey District, without first having been closed:

And whereas the areas coloured red on the aforesaid plan Number 22910 have been used as a public road without legal authority:

And whereas, to put in order instruments which have been issued affecting the lands concerned, it is expedient that the said areas of road coloured green should be closed as from 31 December 1908, and that the said areas coloured red should be proclaimed road as from that date:

And whereas certain Proclamations numbered 621 and 3165 have been issued declaring parts of the aforesaid road shown coloured green to be taken for portion of the North Island Main Trunk Railway and for a roadman's cottage, and it is therefore desirable to validate the said Proclamations:

Be it therefore enacted as follows:

- (1) The areas of road coloured green on the said plan Number 22910 is hereby declared to be and to have been closed and to have been included in Sections 6, 8, 11, 12, 13, 15, 16, and 17, Block XII, Manganui Survey District, as from 31 December 1908.
- (2) The areas coloured red on the said plan Number 22910 are hereby declared to have been proclaimed road as from 31 December 1908.
- (3) All leases heretofore registered under the Land Transfer Act 1952 of any of the said land, and all registered dealings there-

with, and certificates of title, Volume 355, folio 221, Volume 472, folio 57, Volume 500, folio 92, Volume 524, folio 252, and Volume 524, folio 253, Wellington Registry, and Proclamations numbered 621 and 3165, are hereby validated and declared to be and to always have been of full force and effect.

- (4) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books, in the outstanding duplicate leases, and in the outstanding certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section.

4 Special provisions relating to certain reserves in the Borough of Port Chalmers

Whereas by section 34 of the Local Legislation Act 1944, the land described in subsection (6) is vested in the Mayor, Councillors, and Burgesses of the Borough of Port Chalmers as a public reserve for the purposes of a public library in the Borough of Port Chalmers:

And whereas the Port Chalmers Borough Council (in this section referred to as the **Council**) has granted leases in respect of parts of the said land:

And whereas the leases purport to confer certain rights to successive renewals thereof:

And whereas the Council has no power to grant leases containing these rights in respect of the said land:

And whereas it is expedient that the leases granted by the Council be validated and that the Council be granted additional leasing powers in respect of the said land:

And whereas the public library for the Borough of Port Chalmers is now operating in the Council's Municipal Buildings, and it is desirable that any revenue derived from the said land is to be applied by the Council for library purposes only:

Be it therefore enacted as follows:

- (1) All leases in respect of any parts of the land described in subsection (6) granted heretofore by the Council, and all rights of way granted or reserved in connection therewith, are hereby

declared to be and to have been valid and binding in all respects and of full force and effect according to their tenor.

- (2) The registration of all or any of the said leases under the Land Transfer Act 1952 is hereby validated and declared always to be and to have been of full force and effect from the date thereof.
- (3) The revenue derived from the said land shall be applied by the said Council for library purposes only.
- (4) Notwithstanding anything to the contrary in any Act or rule of law, the Council shall have, in respect of the land described in subsection (6), all powers of leasing and other powers set forth in sections 157, 158, 159, and 162 of the Municipal Corporations Act 1933.
- (5) The District Land Registrar for the Otago Land Registration District is hereby authorized and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (6) The land to which this section relates is more particularly described as follows:

All that area in the Otago Land District and the Borough of Port Chalmers, being—

Firstly, all that area containing by admeasurement 1 acre, more or less, being Sections 393, 394, and 395 and part Section 396, Town of Port Chalmers, and being all of the land comprised and described in certificate of title, Volume 233, folio 19, Otago Registry, limited as to parcels and limited in part as to title.

Secondly, all that area containing by admeasurement 20 perches, more or less, being Section 405, Town of Port Chalmers.

5 Closing certain portions of a public road and declaring certain lands to be public road in Block IX, Belmont Survey District, and validating the issue of certain certificates of title

Whereas the area coloured green on the plan lodged in the office of the Chief Surveyor at Wellington under Number 23161

is public road within the meaning of section 110 of the Public Works Act 1928:

And whereas portions of the aforesaid area of road were included in certain certificates of title issued for parts of Section 36, Hutt District, situated in Block IX, Belmont Survey District, without first having been closed:

And whereas the area coloured orange on the aforesaid plan Number 23161 has been used as a public road without legal authority:

And whereas, to put in order the certificates of title which have been issued affecting the lands concerned, it is expedient that the said area of road coloured green should be closed as from 6 May 1884, and that the said area coloured orange should be proclaimed road as from the same date:

Be it therefore enacted as follows:

- (1) The area of road coloured green on the said plan Number 23161 is hereby declared to be and to have been closed and to have formed part of Section 36, Hutt District, situated in Block IX, Belmont Survey District, as from 6 May 1884.
- (2) The area coloured orange on the said plan Number 23161 is hereby declared to have been proclaimed road as from 6 May 1884.
- (3) Certificates of title, Volume 18, folio 105, Volume 83, folio 150, Volume 233, folio 252, Volume 286, folio 260, Volume 287, folio 116, Volume 373, folio 113, Volume 377, folio 186, Volume 387, folio 21, Volume 491, folio 267, and Volume 497, folio 116, Wellington Registry, are hereby validated and declared to be and to always have been of full force and effect as from the date they were issued.
- (4) The District Land Registrar of the Land Registration District of Wellington is hereby empowered and directed to make such entries in the register books, and in the outstanding certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section.

6 Amending section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920

Whereas section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 vested in the Corporation of the Borough of Hawera (in this section referred to as the **Corporation**) certain land as a site for a peace memorial and club house for use by members of the New Zealand Returned Soldiers' Association (Incorporated), now the New Zealand Returned Services' Association (Incorporated):

And whereas the said section 102 authorized the Corporation to grant a licence of the said land to the South Taranaki (Hawera) Branch of the said Association, now the South Taranaki Returned Services' Association (Incorporated), and for the affairs of the club to be controlled by a committee of not less than 8 members composed of an equal number of members of the said branch of the said Association and of burgesses of the Borough of Hawera upon terms defined in subsection (4) of the said section:

And whereas it is desirable to have the affairs of the club controlled solely by the South Taranaki Returned Services' Association (Incorporated):

And whereas the Corporation has agreed to the club's affairs being so controlled, and it is desirable to make provision accordingly:

Be it therefore enacted as follows:

Section 102 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1920 is hereby amended by repealing subsection (4), and substituting the following subsection:

“(4) The affairs of the club shall be controlled by the South Taranaki Returned Services' Association (Incorporated).”

7 Vesting State forest land in the Corporation of the City of Wellington for water supply and other purposes

Whereas the land firstly described in subsection (3) is portion of an area reserved for the growth and preservation of timber by notice published in the *Gazette* of 28 July 1881 and the land secondly described in the said subsection is portion of an area

reserved for State forest by notice published in the *Gazette* of 18 January 1900:

And whereas the lands firstly and secondly described are State forest land within the meaning of the Forests Act 1949:

And whereas the lands so described adjoin land vested in the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the **Corporation**) for water supply and other purposes pursuant to section 4 of the Wellington City and Suburban Water Supply Act 1927, as amended by section 4 of the Wellington City and Suburban Water Supply Amendment Act 1947:

And whereas the Corporation desires the said lands firstly and secondly described in subsection (3) to be vested in it for the purposes prescribed in the said Act:

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

Be it therefore enacted as follows:

- (1) The lands described in subsection (3) shall cease to be State forest land within the meaning of the Forests Act 1949, and are hereby vested in the said Corporation for the purposes set out in section 4 of the Wellington City and Suburban Water Supply Act 1927, as amended by section 4 of the Wellington City and Suburban Water Supply Amendment Act 1947.
- (2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed, on application being made to him in that behalf, and on payment of the appropriate fees, to issue such certificate of title and to make such entries in the register books, to register such instruments, 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 more particularly described as follows:

All those areas in the Wellington Land District, Hutt County, being—

Firstly, Section 2, Block X, Rimutaka Survey District, and Section 3, Block XVII, Belmont Survey District, containing together by admeasurement 89 acres 1 rood and 17 perches, more or less (SO Plan 23106).

Secondly, Section 2, Block XVII, Belmont Survey District, containing by admeasurement 286 acres 2 roods and 34 perches, more or less (SO Plan 23106).

As the same are more particularly delineated on the plan marked L and S 22/3404 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

8 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 under the Forests Act 1949:

And whereas 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 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 North Auckland Land District, Mangonui County, containing by admeasurement 115 acres 2 roods 35 perches and three-tenths of a perch, more or less, being parts of Section 5, Block VI, Mangonui Survey District: as the same is more particularly delineated on the plan marked L and S X/91/39A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland SO Plan 38525).

Secondly, all that area in the North Auckland Land District, Hokianga County, containing by admeasurement 71 acres 1 rood and 20 perches, more or less, being part of Section 1, Block IV, Mangamuka Survey District, and being part of the land proclaimed as permanent State forest by a Proclamation published in the *Gazette* of 17 March 1938 at page 471: as the same is more particularly delineated on the plan marked L and S 12/22, deposited in the Head Office, Department of

Lands and Survey, at Wellington, and thereon bordered red (Auckland SO Plan 37387).

Thirdly, all that area in the North Auckland Land District, Whangarei County, containing by admeasurement 41 acres 3 roods and 20 perches, more or less, being parts of Allotment 64, Hikurangi Parish, Block V, Purua Survey District, and being part of the land comprised and described in certificate of title, Volume 528, folio 164, Auckland Registry: as the same is more particularly delineated on the plan marked L and S X/91/46, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland SO Plan 38135).

Fourthly, all that area in the North Auckland Land District, Bay of Islands County, containing by admeasurement 30 perches and four-tenths of a perch, more or less, being formerly part of Whakanekeneke 1B Block, situated in Block VI, Omapere Survey District, and being all of the land proclaimed as permanent State forest by a Proclamation published in the *Gazette* of 14 October 1943 at page 1203: as the same is more particularly delineated on the plan marked L and S X/91/7A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Auckland SO Plan 32777).

Fifthly, all that area in the Southland Land District, Wallace County, containing by admeasurement 54 acres 2 roods and 35 perches, more or less, being Section 198 (formerly part of Section 7), Block XII, Waiau Survey District, and being part of the land comprised and described in certificate of title, Volume 135, folio 105, Southland Registry: as the same is more particularly delineated on the plan marked L and S 36/318 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Southland SO Plan 6108).

Sixthly, all that area in the Southland Land District, Wallace County, containing by admeasurement 431 acres 2 roods and 30 perches, more or less, being Sections 200, 201, and 202 (formerly part of Section 7), Block XII, Waiau Survey District, and being part of the land comprised and described in certificate of title, Volume 135, folio 105, Southland Registry:

as the same is more particularly delineated on the plan marked L and S 36/318A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Southland SO Plans 6150 and 6173).

Seventhly, all that area in the Southland Land District, Wallace County, containing by admeasurement 724 acres and 25 perches and seven-tenths of a perch, more or less, being Section 204R and part of Sections 13, 18, 96, 177, 204, and 277, Block XII, Wairio Survey District, and being part of the land comprised and described in certificate of title, Volume 158, folio 245, Southland Registry: as the same is more particularly delineated on the plan marked L and S X/101/35 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (Southland SO Plan 6186).

9 Cancellling the vesting as an endowment over certain lands and revesting those lands in the Corporation of the Borough of Cromwell in trust for municipal and recreation purposes and as a site for a bridge

Whereas the lands firstly, secondly, and thirdly described in subsection (7) were granted to the Superintendent of the Province of Otago in trust for certain purposes:

And whereas by transfer numbered 9919 registered in the Land Registry Office at Dunedin on 4 July 1881, the said lands, together with certain other lands, were, pursuant to section 352 of the Municipal Corporations Act 1876, transferred from Her Majesty to the Mayor, Councillors, and Burgesses of the Borough of Cromwell (in this section referred to as the **Corporation**) as a reserve for endowment for the municipality of Cromwell:

And whereas the said section 352 provided that any land so transferred be vested for the same purposes for which the land was held at the date of the passing of the said Act:

And whereas the lands firstly described in subsection (7) were originally held in trust for municipal purposes for the Municipal Corporation of the Town of Cromwell, the lands secondly described in the said subsection in trust for the purposes of public recreation for the Town of Cromwell and its inhabit-

ants, and the land thirdly described in the said subsection in trust as a site for a bridge at Cromwell:

And whereas the lands have always been regarded as having been held in trust for the purposes above mentioned, and it is therefore desired to vest them in trust for those purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the vesting in the Corporation of the lands firstly, secondly, and thirdly described in subsection (7) is hereby cancelled.
- (2) The lands firstly described in subsection (7) are hereby vested in the Corporation for municipal purposes to be held subject to the Municipal Corporations Act 1933.
- (3) The lands secondly described in subsection (7) are hereby vested in the Corporation in trust for the purposes of public recreation.
- (4) The land thirdly described in subsection (7) is hereby vested in the Corporation as a site for a bridge.
- (5) Nothing in this section shall be deemed to affect the validity of any dealing with any part of the said land in accordance with the terms under which it was held prior to the commencement of this Act.
- (6) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to make such entries in the register books, to register such instruments, 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 Otago Land District and in the Borough of Cromwell, being—

Firstly, all those areas containing together by admeasurement 8 acres 1 rood 36 perches and seven-tenths of a perch, more or less, and being Sections 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12, Block VIII, and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block XXXIX, and Sections 4 and 13, Block LXVII, and Sections 1 and 2, Block LXIII, and Sections 3, 4, 5, 6, 7, 11, 12, and 14, Block XXXV, and all of Block LXXXVIII,

Town of Cromwell, being all the land comprised and described in certificates of title, Volume 52, folios 269, 270, 272, 274, and 280, and the balance of the land comprised and described in certificates of title, Volume 52, folios 271 and 279, Otago Registry.

Secondly, all those areas containing together by admeasurement 31 acres 3 roods and 5 perches, more or less, and being all of Block IX, and Section 1, Block XV, Town of Cromwell, being all the land comprised and described in certificates of title, Volume 46, folios 34 and 60, Otago Registry.

Thirdly, all that area containing by admeasurement 1 acre and 16 perches, more or less, and being Bridge Reserve, Town of Cromwell, being all the land comprised and described in certificate of title, Volume 46, folio 22, Otago Registry.

10 Special provisions relating to Queen Elizabeth Park
[Repealed]

Section 10: repealed, on 19 July 1990, by section 41(a) of the Conservation Law Reform Act 1990 (1990 No 31).

11 Conferring special leasing powers on the Canterbury Education Board

Whereas the land described in subsection (4) is vested in the Education Board of the District of Canterbury (in this section referred to as the **Board**) for an estate in fee simple:

And whereas the land has been occupied by the Waimairi Beach Golf Club (Incorporated) (in this section referred to as the **club**) for some years past and comprises the greater part of the Waimairi golf course:

And whereas it is desirable that the club should be granted a lease of the said land and that the Minister of Education (in this section referred to as the **Minister**) should be empowered to authorize the Board to lease the said land to the club upon appropriate terms and conditions:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Education Lands Act 1949, or the Public Bodies' Leases Act 1908, or any other Act or rule of law, the Board, with the consent of

the Minister, may lease the land described in subsection (4) to the club for such term, at such rental, and subject to such conditions as the Minister may think fit.

- (2) Any such lease may confer on the lessee a right of renewal either for a fixed term or in perpetuity as the Minister in his discretion approves.
- (3) The District Land Registrar for the Land Registration District of Canterbury is hereby authorized and empowered to accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is more particularly described as follows:

All that area in the Canterbury Land District, Waimairi County, being part of Reserve 1579 and part of Rural Section 16034, situated in Block VIII, Christchurch Survey District, containing by admeasurement 114 acres 2 roods and 27 perches and six-tenths of a perch, more or less, and being all of the land comprised and described in certificate of title, Volume 608, folio 58, Canterbury Registry.

12 Vesting certain land in the Chairman, Councillors and inhabitants of the County of Ashburton for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953

Whereas by a Warrant issued pursuant to section 35 of the Reserves and Other Lands Sale Disposal and Enabling and Public Bodies Empowering Act 1901, dated 31 January 1902, the land described in subsection (3) of this section (in this section referred to as the **said land**), together with other lands, were granted to the inhabitants of South Rakaia Road District for an estate in fee simple in trust, without power of sale or lease, for plantation purposes:

And whereas the said land is now vested in the Chairman, Councillors, and inhabitants of the County of Ashburton (in this section referred to as the **Corporation**):

And whereas the Corporation desires the said land to be vested in it as a reserve for county buildings and amenities

for the Town of Rakaia subject to the Reserves and Domains Act 1953:

And whereas it is desirable to make provision accordingly:

Be it therefore enacted as follows:

- (1) The land described in subsection (3) is hereby declared to be no longer held by the Corporation for an estate in fee simple in trust, without power of sale or lease, for plantation purposes, and is hereby declared to be vested in the Corporation for an estate in fee simple as a reserve for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953.
- (2) The District Land Registrar for the Canterbury Land Registration District is hereby authorized and directed to cancel certificate of title, Volume 200, folio 15, Canterbury Registry, as to the said land, and is hereby authorized and directed to issue a new certificate of title for the said land in the name of the Corporation as a reserve for county buildings and amenities for the Town of Rakaia subject to the Reserves and Domains Act 1953, 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 more particularly described as follows:

All that area in the Canterbury Land District, Ashburton County, containing by admeasurement 1 acre, more or less, being Reserve 1671, situated in the Town of Rakaia, and being part of the land comprised in certificate of title, Volume 200, folio 15, Canterbury Registry: as the same is more particularly delineated on the plan marked L and S 41948 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

13 Conferring special leasing powers on the Whangarei High School Board

Whereas the land described in subsection (4) is vested in the Whangarei High School Board (in this section referred to as the **Board**) for an estate in fee simple:

And whereas the said land has been used for some years by the Whangarei Rugby Football Union (Incorporated) (in this section referred to as the **Union**) and is known as Rugby Park:

And whereas the land is not required by the Board for High School buildings and it is desirable that it be leased to the Union so that it may be developed for recreational purposes subject to certain rights of user retained to the Board:

And whereas it is desirable that the Board be authorized to enter into a lease with the Union, subject to the retention of the aforesaid rights of user, on such terms as the Minister of Education (in this section referred to as the **Minister**) may approve:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Education Lands Act 1949, or the Public Bodies' Leases Act 1908, or in any other Act or rule of law, the Board is hereby authorized to lease to the Union the land described in subsection (4), or any part or parts thereof, for such term and under such conditions as to rent and otherwise as the Minister may approve:
provided that any lease granted under this subsection shall, notwithstanding any rule of law to the contrary, contain a covenant reserving to the Board and to the staff and pupils of the Whangarei High School the right to use without charge the playing fields and adjoining areas on the leased land on all days from Monday to Friday, inclusive, and on such other days as may be required.
- (2) Any lease granted under subsection (1) may confer on the lessee a right of renewal, either for a term of years or in perpetuity, as the Minister in his discretion may approve.
- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to accept such instruments or other documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is more particularly described as follows:

All that area in the North Auckland Land District, Borough of Whangarei, situated in Block XII, Purua Survey District, and containing by admeasurement 18 acres 3 roods and 30 perches, more or less, being part of Allotment 1 of the Parish of Whangarei, and being part of the land comprised and described in certificate of title, Volume 523, folio 258, Auckland Registry (limited as to parcels and title): as the same is more particularly delineated on the plan marked L and S 13/276/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (SO Plan 38483).

14 Conferring certain powers on the trustees of the late James Gammack

Whereas the lands described in subsection (3) are vested in the trustees for the time being of the will of James Gammack, late of Springston in the Provincial District of Canterbury, farmer, deceased, but without power of sale:

And whereas the trustees desire to sell and dispose of the said lands and invest the proceeds arising from the sale in trust for the beneficiaries of the said will:

And whereas it is expedient that provision be made in that behalf:

Be it therefore enacted as follows:

- (1) The trustees for the time being of the will of the said James Gammack, deceased, may, with the consent of the beneficiaries interested in the lands, and with the approval of the Commissioner of Crown Lands for the Canterbury Land District, sell the lands described in subsection (3) and invest the proceeds of any such sales for the benefit of the beneficiaries under the said will.
- (2) Subject to the consent of the said beneficiaries, and to the approval of the said Commissioner, any such lands may be sold either in 1 lot or in several lots, by public auction or by private contract, upon such terms as to payment of purchase money and subject to such stipulations as to title or otherwise as the aforesaid trustees shall think fit with power for the said trustees to buy in any of the said lands or to rescind or vary contracts for sale and to resell without responsibility for loss.

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

All that area situated in Block VIII, Leeston Survey District, containing by admeasurement 1 acre 1 rood 20 perches and three-tenths of a perch, more or less, being Lots 1, 2, 3, 4, and 5 on the plan lodged in the Land Registry Office at Christchurch under Number 17600, being part of Rural Section Number 3043 and being part of the land comprised and described in certificate of title, Volume 515, folio 16, Canterbury Registry.

15 Effecting an exchange between Her Majesty and the Corporation of the City of Wanganui in respect of certain land in Wanganui County

Whereas pursuant to the authority of section 350 of the Municipal Corporations Act 1876 the land firstly described in subsection (4), together with certain other land, was vested for an estate in fee simple in the Corporation of the Borough of Wanganui, now the City of Wanganui (in this section referred to as the **Corporation**), in trust as an endowment in aid of the Wanganui Borough funds:

And whereas the land secondly described in subsection (4) is portion of provisional State forest land set apart by Proclamation published in the *Gazette* of 29 July 1926, and is subject to the provisions of the Forests Act 1949:

And whereas it is desirable for the better working and administration of the lands firstly and secondly described in the said subsection that the land firstly described should be exchanged for the land secondly described:

Be it therefore enacted as follows:

- (1) The vesting of the land firstly described in subsection (4) in the Corporation is hereby cancelled and that land is hereby declared to be vested in Her Majesty the Queen as provisional State forest land under and subject to the Forests Act 1949.
- (2) The reservation as provisional State forest land over the land secondly described in subsection (4) is hereby revoked and that land is hereby vested in the Corporation for an estate in fee simple in trust as an endowment in aid of the Wanganui City funds.

- (3) The District Land Registrar for the Land Registration District of Wellington is hereby authorized 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 more particularly described as follows:
All those areas in the Wellington Land District, Wanganui County, being—
Firstly, all that area containing by admeasurement 92 acres, more or less, being Lot 1 on the plan deposited in the Land Registry Office at Wellington under Number 17639, being part of Section 1, Block VI, Mangawhero Survey District, and being part of the land comprised and described in certificate of title, Volume 43, folio 213, Wellington Registry.
Secondly, all that area containing by admeasurement 127 acres 3 roods and 20 perches, more or less, being Lot 2 on the plan deposited in the Land Registry Office at Wellington under Number 17639, and being part of Section 4, Block VI, Mangawhero Survey District.

16 Declaring certain endowment lands vested in the University of Otago to be Crown land subject to the Land Act 1948, making provision for the payment of certain moneys to the University and Dunedin Athenaeum, and validating certain payments made to the Athenaeum

Whereas the lands described in subsection (7) (in this section referred to as the **said lands**) are vested in the University of Otago (in this section referred to as the **University**) as endowments for the Otago Museum and the Dunedin Athenaeum and Mechanics' Institute (in this section referred to as the **Athenaeum**):

And whereas the said lands are administered by the Crown on behalf of the University:

And whereas it has been agreed between the University and Her Majesty that the said lands be resumed as Crown land and that certain money be paid for the interests of the University and the Athenaeum in the said lands:

And whereas it is desirable to declare the said lands Crown land subject to the Land Act 1948 and also to make provision for the payment of the money above mentioned to the University and the Athenaeum:

And whereas section 5 of the Otago Museum Act 1877 provides that certain revenue derived from the said lands is to be applied to the Athenaeum:

And whereas on renewal of the leases over the said lands the rentals have been reduced and the reduction is retrospective to the expiry date of the said leases without account being taken of any statutory extensions:

And whereas the lessees of the said lands have accordingly accumulated certain rental credits and the revenue from the endowment has temporarily ceased:

And whereas it is desirable that any such revenue should continue and that certain payments made to the Athenaeum (representing rentals received from the expired leases), should be validated:

Be it therefore enacted as follows:

- (1) Subject to the provisions of subsection (2), the lands described in subsection (7) are hereby declared to be no longer vested in the University in trust as endowments for the Otago Museum and the Athenaeum and are hereby declared to be Crown land under and subject to the provisions of the Land Act 1948 subject to all leases, liens, encumbrances, and easements affecting the land but otherwise freed and discharged from all reservations and trusts heretofore affecting the said lands.
- (2) In full satisfaction of the interests of the University and the Athenaeum in the lands described in subsection (7), the Minister of Lands is hereby authorized to pay to the University out of the Land Settlement Account, from money appropriated for the acquisition of land and interests therein, the sum of 19,260 pounds to be held in trust to apply the income therefrom to and for the maintenance of the Otago Museum, and the said Minister is hereby further authorized to pay to the Athenaeum out of the said Account the sum of 2,140 pounds to be held in trust to apply the income therefrom to and for the general purposes of the Athenaeum.

- (3) The Minister of Lands is also hereby authorized to pay to the University and to the Athenaeum, out of the appropriation referred to in subsection (2), interest at the rate of 4% per annum on the sums referred to in subsection (2) from 1 March 1953 to the date of payment of the said sums.
- (4) Notwithstanding anything to the contrary in the Otago Museum Act 1877 or in any other Act or rule of law, all payments heretofore made to the Athenaeum from revenue derived from the said lands are hereby validated and declared to have been lawfully made.
- (5) Sections 3 to 7 of the Otago Museum Act 1877 are hereby repealed.
- (6) The District Land Registrar for the Land Registration District of Otago is hereby authorized 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 Taieri County, Otago Land District, containing by estimation 10 980 acres, more or less, being Sections 1524R and 1525R, Block VI, Silverpeak Survey District, and Runs 520 and 521 situated in Blocks XI and XII, Nenthorn Survey District, and Block VI, Silverpeak Survey District, together with all roadlines and riverbank reserves intersecting or adjoining Runs 520 and 521 (formerly described as parts of Runs numbered 20 and 77 on the map of the North Eastern Pastoral District, deposited in the Survey Office, Dunedin): as the same are more particularly delineated on the plan marked L and S 22/4955/1 deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red (SO Plan 11767).

Contents

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Notes

1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1954. The reprint incorporates all the amendments to the Act as at 19 July 1990, 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)*

Conservation Law Reform Act 1990 (1990 No 31): section 41(a)
