Version
as at 5 April 2025

Reserves and Other Lands Disposal Act 1973

Public Act	1973 No 121
Date of assent	23 November 1973
Commencement	23 November 1973

Contents

		Page
	Title	2
1	Short Title	2
2	Empowering the Portobello Library Trustees to transfer the Portobello public library site to the Dunedin City Corporation	2
3	Empowering the Waikouaiti County Council to sell certain land, and requiring it to apply the proceeds for the benefit of the Waikouaiti Athenaeum	3
4	Declaring Waihaorunga hall site to be Crown land, and providing for any proceeds of alienation of the site to be given to the Waihaorunga Domain Board	4
5	Revoking reservation of Reserve No 348, declaring part of tramway to be road, and validating issue of certificates of title	5
6	Validating issue of certificates of title in respect of foreshore to Timaru Harbour Board	6
7	Providing for parts of Picton Harbour to be vested in the Marlborough Harbour Board in connection with a boating marina	7
8	Declaring land subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948	9

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by Land Information New Zealand.

9 Empowering the Dunedin City Corporation to subdivide, develop, lease, and sell the old Taieri Airport, requiring it to apply the proceeds for the benefit of Momona Airport, and validating subdivisions, developments, and sales already completed by the Corporation 10
10 Empowering the New Plymouth City Corporation to subdivide, develop, lease, and sell the old Bell Block Airport, and requiring it to apply the proceeds for the benefit of the new airport at Brown Road 13

An Act to provide for various matters relating to Crown land, reserves, and other land held for public purposes

1 Short Title

This Act may be cited as the Reserves and Other Lands Disposal Act 1973.

2 Empowering the Portobello Library Trustees to transfer the Portobello public library site to the Dunedin City Corporation

Whereas by section 82 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919 the land described in subsection (2) was vested in the Portobello Library Trustees (in this section called **the trustees**), a body corporate:

And whereas it was so vested with the intention that the trustees should hold it as a site for a public library:

And whereas the land is no longer required as a site for a public library:

And whereas the trustees wish to transfer the land by way of sale to the Mayor, Councillors, and Citizens of the City of Dunedin (in this section called **the Corporation**):

And whereas the trustees have no power to so transfer the land:

And whereas it is desired to confer such a power on the trustees:

Be it therefore enacted as follows:

(1) Notwithstanding section 82 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1919 or the Reserves and Domains Act 1953 or any other enactment or rule of law, the trustees may transfer to the Corporation by way of sale for an estate in fee simple the land described in subsection (2), on such terms and conditions as the trustees and the Corporation may agree on, but otherwise freed and discharged from all trusts, reservations, and restrictions affecting the land.

(2) This section relates to the following land:

All that area in the Otago Land District, Dunedin City, containing 111 square metres, more or less, being Section 41, (formerly part Section 40), Block VII, Portobello Survey District, as more particularly shown on SO Plan 17646 lodged in the office of the Chief Surveyor at Dunedin and thereon edged in bold black lines, and being all the land comprised in certificate of title, Volume 192, folio 240, Otago Land Registry.

3 Empowering the Waikouaiti County Council to sell certain land, and requiring it to apply the proceeds for the benefit of the Waikouaiti Athenaeum

Whereas by section 8 of the Reserves and Other Lands Disposal Act 1968 the land first, secondly, and thirdly described in subsection (4) was vested in the Chairman, Councillors, and Inhabitants of the County of Waikouaiti (in this section called **the Council**) for an estate in fee simple:

And whereas the land first and secondly described was so vested to be held as a public reserve, subject to the Reserves and Domains Act 1953, for the purposes of a hall and library situated on that land, or for any public hall or library that might thereafter be erected to replace the existing hall or library:

And whereas the land thirdly described was so vested as an endowment, without power of sale, for the benefit of the existing hall and library, or for the benefit of any public hall or library that might thereafter be erected to replace the existing hall or library:

And whereas the land thirdly described is presently used for farming:

And whereas the Council wishes to sell the land thirdly described, and to invest the proceeds of the sale permanently, and to use the interest from the investments for the benefit of the hall and library, or for the benefit of any public hall or library erected to replace the existing hall or library:

And whereas it is desired to confer such a power of sale on the Council, and to require it to invest the proceeds and apply the interest from the investments for those purposes:

Be it therefore enacted as follows:

(1) Notwithstanding section 8 of the Reserves and Other Lands Disposal Act 1968 or any other enactment or rule of law, the Council may from time to time, subject to subsections (2) and (3), transfer by way of sale for an estate or estates in fee simple the whole or any part or parts of the land thirdly described in subsection (4) on such terms and conditions as it thinks fit.

(2) Any land sold under this section shall remain subject to all leases and tenancies affecting that land at the time of sale, unless in any particular case the lessee or tenant otherwise agrees, but shall otherwise be deemed to be freed and discharged from all trusts, reservations, and restrictions affecting that land at the time of sale.

(3) The Council shall invest the proceeds of sale of the land in such manner as it thinks fit, and shall apply the interest received from such investments solely for the benefit of the hall and library at present situated on the land first and secondly described in subsection (4), or for the benefit of any public hall or library that may hereafter be erected (whether on the land first or secondly described in subsection (4) or elsewhere) for the inhabitants of Waikouaiti district in replacement of the existing hall or library.

(4) This section relates to the following land:

First, all that area of land in the Otago Land District containing 639 square metres, more or less, being part Allotment 1A, Deeds Plan 91, being part Section 16, Block VI, Hawksbury Survey District, and being all the land comprised and described in certificate of title, Volume 268, folio 211 (limited as to parcels and title), Otago Land Registry.

Secondly, all that area of land in the Otago Land District containing 1 601 square metres, more or less, being part Allotments 1A and 2A, Deeds Plan 91, being part Section 16, Block VI, Hawksbury Survey District, and being all the land comprised and described in certificate of title, Volume 268, folio 210 (limited as to parcels and title), Otago Land Registry.

Thirdly, all that area of land in the Otago Land District containing 21.7770 hectares, more or less, being Section 60, Block V, Hawksbury Survey District, and being all the land comprised and described in certificate of title, Volume 61, folio 166, Otago Land Registry (SO Plan 589).

4 Declaring Waihaorunga hall site to be Crown land, and providing for any proceeds of alienation of the site to be given to the Waihaorunga Domain Board

Whereas Walter Armstrong, John Culmer Hurst, Stanley Price, William George Rutherford, and Henry Maximilian Whatman, all of Waihaorunga, (in this section called **the trustees**) were in 1914 appointed at a public meeting to hold the land described in subsection (3) on trust for the purpose of a hall site:

And whereas the Crown subsequently transferred the land to the trustees by way of sale for that purpose:

And whereas the land has never been used for the purpose of a hall:

And whereas in 1954 a building situated in the Waihaorunga Domain and formerly used for the purposes of the Waihaorunga school was made available for the purpose of a hall under the control of the Waihaorunga Domain Board (in this section called **the Board**):

And whereas the surviving trustees subsequently arranged with the Board that the Board should take control of the hall site on the first land:

And whereas the last surviving trustee died before that arrangement could be put into effect:

And whereas no new trustees have been appointed:

And whereas it is desired that the first land should be declared to be Crown land and that the proceeds of any alienation of the land by the Crown should be paid to the Board to be used for the purpose of improving the Waihaorunga Domain:

Be it therefore enacted as follows:

(1) The land described in subsection (3) is hereby declared to be Crown land subject to the Land Act 1948.

(2) The proceeds received from any alienation of the land by the Crown shall, after deduction of any costs and expenses of the Crown, be paid by the Crown to the Board, to be used by the Board for the purpose of improving the Waihaorunga Domain (including the building situated in the Domain and used as a hall), and the Board shall apply for that purpose the proceeds received by it.

(3) This section relates to the following land:

All that parcel of land in the Canterbury Land District, containing 4 046 square metres, more or less, being Reserve 3947, situated in Block XV, Waihao Survey District and being all the land comprised and described in certificate of title, Volume 296, folio 215, Canterbury Land Registry (SO Plan 5148).

5 Revoking reservation of Reserve No 348, declaring part of tramway to be road, and validating issue of certificates of title

Whereas on 1 October 1864 a notice was published in the Government *Gazette* of the Province of Canterbury at page 232, at the direction of the Superintendent of the Province of Canterbury, to the effect that the Canterbury Provincial Council had confirmed the making of Reserve No 348 for a line of tramway in respect of the land first described in subsection (4):

And whereas the land has not been used for a tramway:

And whereas by a notice dated 24 January 1889 and published in the *New Zealand Gazette* of that year at page 117, the Governor of the Colony of New Zealand declared and directed, pursuant to section 2 of the Public Reserves Sales Act 1888, that part of the land should cease to be reserved, and should be sold and disposed of under the provisions of sections 95 and 232 of the Land Act 1885:

And whereas the land secondly described in subsection (4) (being other parts of the land first described in that subsection) has been used as a public road without authority:

And whereas it is desired to provide that the land secondly described in subsection (4) is and has always been lawfully used as a road:

And whereas certain other undefined parts of the land first described in subsection (4) have at various times since 29 September 1864 been included in Crown grants and warrants, without regard to the reservation:

And whereas it is desired that the Crown grants and warrants should be validated:

And whereas the balance of Reserve No 348 is no longer required as a reserve for a tramway line:

Be it therefore enacted as follows:

(1) Notwithstanding the reservation of Reserve No 348 for a line of tramway, the land secondly described in subsection (4) is hereby declared to be road and to have been road at all times since any part of it was first used as a public road.

(2) Every Crown grant, or warrant issued under the hand of the Governor-General, that included any part of the land first described in subsection (4) is, to the extent that it was made or issued without regard to the reservation of Reserve No 348 for a line of tramway, hereby validated and declared to have been lawfully made or issued.

(3) The reservation of the balance of Reserve No 348 for a line of tramway is hereby revoked.

(4) This section relates to the following land:

First, all that parcel of land, being Reserve No 348—1 chain wide, commencing at a point on the southern bank of Tai Tapu, opposite to the present road and railway reserve, leading to Little River, passing in a south-easterly direction near to the edge of the hills, by Ahuriri, Archie's point, Kaituna, and Waikoka; thence in a northerly direction by the western edge of Lake Forsyth to the road on the western side of the Maori reserve at Little River, following along the said road until it meets the road and railway reserve before mentioned, and more particularly delineated and described on the map of the Chief Surveyor; subject nevertheless to roads, freehold sections, pre-emptive rights, and the road and railway reserve before mentioned.

Secondly, all those parcels of land containing by admeasurement 2.3881 hectares, more or less, being parts Reserve No 348, and being all the land on SO Plan No 11825 lodged in the office of the Chief Surveyor at Christchurch.

Section 5(4): amended, on 23 November 1973, pursuant to section 2(2) of the Maori Purposes Act 1947 (1947 No 59).

6 Validating issue of certificates of title in respect of foreshore to Timaru Harbour Board

Whereas the Timaru Harbour Board (in this section called **the Board**) has pursuant to section 2 of the Timaru Harbour Reclamation Act 1894 reclaimed from the sea part of the land first described in subsection (2):

And whereas the Board has, pursuant to an Order in Council made on 8 August 1962 under section 185 of the Harbours Act 1950, and published in the *Gazette* of that year at page 1332, reclaimed from the sea the other part of the land first described in subsection (2):

And whereas the Board has, pursuant to an Order in Council made on 4 August 1965 under section 185 of the Harbours Act 1950, and published in the *Gazette* of that year at page 1287, reclaimed from the sea the land secondly described in subsection (2):

And whereas the Board applied to the District Land Registrar of the Land Registration District of Canterbury for the issue of a certificate of title for an estate in fee simple to and in the name of the Board in respect of each of the parcels of land so described:

And whereas the District Land Registrar accordingly issued to and in the name of the Board the 2 certificates of title specified in subsection (1):

And whereas the parcels of land to which those certificates of title respectively relate include parts of the shore of the sea within the meaning of section 150 of the Harbours Act 1950:

And whereas the certificates of title were therefore issued in contravention of section 150 of the Harbours Act 1950:

And whereas it is desired to validate the issue of the certificates of title to the Board:

Be it therefore enacted as follows:

(1) The issue of certificate of title, Register 6D, folio 845, Canterbury Land Registry, on 19 March 1965 to the Board, and the issue of certificate of title, Register 4C, folio 14, Canterbury Land Registry, on 23 January 1967 to the Board, are to the extent that they were issued contrary to section 150 of the Harbours Act 1950 hereby validated and declared to have been lawfully issued.

(2) This section relates to the following land:

First, all that parcel of land containing 7.3035 hectares, more or less, situated partly in the City of Timaru being Lot 1 on Deposited Plan 23564, part Timaru Harbour Board Endowment, situated in Block XI, Arowhenua Survey District, and being all of the land comprised and described in certificate of title, Register 4C, folio 14, Canterbury Land Registry.

Secondly, all that parcel of land containing 3.4431 hectares, more or less, situated in the City of Timaru being Lot 1 on Deposited Plan No 25101, part Timaru Harbour Board Endowment and reclamation thereto, situated in Block XI, Arowhenua Survey District, and being all of the land comprised and described in certificate of title, Register 6D, folio 845, Canterbury Land Registry.

7 Providing for parts of Picton Harbour to be vested in the Marlborough Harbour Board in connection with a boating marina

Whereas the land first and secondly described in subsection (4) are portions of the seabed of Picton Harbour:

And whereas the first land is Crown land:

And whereas the second land was by section 2 of the Picton Recreation Reserve Act 1896 vested in the Picton Borough Council (in this section called **the Council**), to be used for the purposes of a recreation reserve:

And whereas the Council has no power to sell the second land:

And whereas the Marlborough Harbour Board (in this section called **the Board**) has developed a boating marina in Picton Harbour:

And whereas the first and second land are included in the marina:

And whereas it is desired to vest the first land in the Board for an estate in fee simple:

And whereas it is also desired to empower the Council to sell the second land to the Board and to require the Council to apply the proceeds of sale for the benefit of any recreation reserves, scenic reserves, or domains under the control or management of the Council:

Be it therefore enacted as follows:

(1) The land first described in subsection (4) is hereby vested in the Board for an estate in fee simple.

(2) Notwithstanding the Picton Recreation Reserve Act 1896 or the Reserves and Domains Act 1953 or any other enactment or rule of law, the Council may transfer to the Board by way of sale for an estate in fee simple the land secondly described in subsection (4), on such terms and conditions as the Council and the Board may agree on, but otherwise freed and discharged from all trusts, reservations, and restrictions affecting the land.

(3) The Council shall apply for the benefit of any recreation reserves, scenic reserves, or domains controlled or managed by it, the proceeds received from the sale of the land secondly described in subsection (4).

(4) This section relates to the following land:

First, all that parcel of land in the Marlborough Land District, Borough of Picton, containing 5 283 square metres, more or less, being Crown land (Part Picton Harbour), situated in Block XII, Linkwater Survey District, and part Lot 1, Deposited Plan 2967, being part Section 199, Town of Picton, as more particularly shown on SO Plan 4963 lodged in the office of the Chief Surveyor at Blenheim and thereon edged in red.

Secondly, all that parcel of land in the Marlborough Land District, Borough of Picton, containing 1 163 square metres, more or less, being part Lagoon (Recreation Reserve, Picton Recreation Reserve Act 1896), situated in Block XII, Linkwater Survey District, as more particulary shown on SO Plan 4963 lodged in the office of the Chief Surveyor at Blenheim and thereon edged in red.

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

Whereas the land described in subsection (2) is set apart as permanent State forest land under the Forests Act 1949:

And whereas it is desired that it should be declared to be Crown land subject to the Land Act 1948:

Be it therefore enacted as follows:

(1) The setting apart of the land described in subsection (2) as permanent State forest land is hereby revoked and the land is hereby declared to be Crown land subject to the Land Act 1948.

(2) This section relates to the following land:

First, all that area of land in the North Auckland Land District, containing 3.3513 hectares, more or less, being part Lot 1, DP 36866, being part Taraire 1L Block, situated in Block XV, Omapere Survey District, and being all the land shown on SO Plan 47633 lodged in the office of the Chief Surveyor at Auckland.

Secondly, all that area of land in the North Auckland Land District containing 1.4370 hectares, more or less, being parts Section 53, Block XII, Kerikeri Survey District (SO Plan 48748).

Thirdly, all that area of land in the South Auckland Land District containing 18.0395 hectares, more or less, being parts Sections 33 and 34, Block IV, Katikati Survey District, and being all the land shown on SO Plan 45515 lodged in the office of the Chief Surveyor at Hamilton.

Fourthly, all that area of land in the South Auckland Land District containing 7.0137 hectares, more or less, being part Wharekawa East No 2 Block, situated in Block IV, Tairua Survey District (SO Plan 46660).

Fifthly, all that area of land in the Hawkes Bay Land District containing 6.5761 hectares, more or less, being Section 8, Block XIII, Patoka Survey District (SO Plan 6069).

Sixthly, all that area of land in the Wellington Land District, containing 5.4591 hectares, more or less, being Sections 38, 39, and 40, Block XII, Kaitieke Survey District (SO Plans 24682 and 25114).

Seventhly, all that area of land in the Canterbury Land District containing 485.6227 hectares, more or less, being Reserve 3325, situated in Blocks IX, X, XIII, and XIV, Sinclair Survey District.

Eighthly, all that area of land in the Southland Land District, containing 5 056 square metres, more or less, being part Section 173, Block IX, Waiau Survey District, as more particularly shown on SO Plan 7981 lodged in the office of the Chief Surveyor at Invercargill and thereon edged in red.

Ninthly, all that area of land in the Southland Land District, containing 33.1842 hectares, more or less, being part Permanent State Forest, situated in Block XI, Mokoreta Survey District, as more particularly shown on SO Plan 8238 lodged in the office of the Chief Surveyor at Invercargill and thereon edged in red.

9 Empowering the Dunedin City Corporation to subdivide, develop, lease, and sell the old Taieri Airport, requiring it to apply the proceeds for the benefit of Momona Airport, and validating subdivisions, developments, and sales already completed by the Corporation

Whereas the Mayor, Councillors, and Citizens of the City of Dunedin (in this section called **the Corporation**) are registered as the proprietors of an estate in fee simple in the land first and secondly described in subsection (12):

And whereas the land comprises the old Taieri Airport and is controlled by the Corporation:

And whereas Taieri Airport became inadequate for the needs of the district, and a new airport was therefore constructed at Momona under the control of the Corporation:

And whereas by a deed dated 9 March 1960 (as varied by a supplementary deed dated 21 April 1964), made between the Corporation and the Crown, it was agreed between the parties that the Corporation should sell or otherwise dispose of the land first and secondly described in subsection (12), and apply the proceeds towards the costs of acquisition and development of Momona Airport:

And whereas in reliance on the agreement between the Corporation and the Crown, the Corporation has subsequently subdivided, developed, and sold parts of the land to various purchasers, and has made certain payments in respect of the costs and expenses incurred in doing so:

And whereas doubts have arisen as to the power of the Corporation to subdivide, develop, or sell any parts of the land or to pay any costs or expenses incurred in doing so:

And whereas it is desired to resolve such doubts by conferring power on the Corporation to subdivide, develop, lease, and sell the land, and to pay the costs and expenses incurred in doing so:

And whereas it is also desired to validate the subdivision, development, and sale of parts of the land already completed by the Corporation, and the payments already made by it in respect of the costs and expenses incurred in doing so:

And whereas it is also desired to provide for the application of the proceeds of all such subdivisions, developments, leases, and sales of the land:

Be it therefore enacted as follows:

(1) Notwithstanding the Airport Authorities Act 1966 or the Civil Aviation Act 2023 or any other enactment or rule of law, the Corporation shall hold, admin-

ister, and dispose of the land first and secondly described in subsection (12) in accordance with the provisions of this section.

(2) The Corporation shall, as long as any parts of the land are still required for the purposes of an aerodrome, continue to hold those parts of the land for those purposes.

(2A) Despite subsection (2), the Dunedin City Corporation (now the Dunedin City Council) may transfer the 38.2691 hectares of land described in computer freehold register OT2C/1307 (being Lot 1 on Deposited Plan 11036) to the community trust known as the Taieri Airport Trust. However, if the Taieri Airport Trust sells the land, it must pay half the net proceeds of the sale into a Crown Bank Account.

(2B) In subsection (2A), **net proceeds** means the amount remaining after any expenses incurred by the Taieri Airport Trust from the sale of the land (including any expenses in relation to any subdivision and development of the land) have been deducted.

(2C) The Dunedin City Council must obtain the written consent of the Minister of Transport before acting under subsection (2A).

(3) The Corporation may from time to time, with the prior consent in writing of the Minister of Civil Aviation and Meteorological Services, do any 1 or more of the following things in respect of any part of the land that is no longer required for the purposes of an aerodrome:

(a) subdivide or re-subdivide it into lots:

(b) lease it on such terms and conditions as the Corporation may think fit:

(c) sell it by such method of sale and on such terms and conditions as the Corporation thinks fit, with or without any grants or reservations of easements or other rights or privileges in favour of the purchaser or the Corporation or any other person.

(4) The Corporation may, in subdividing or re-subdividing any part of the land under subsection (3), construct or provide such public streets, service lanes, access ways, sanitary and water drains, water supplies, electric power lines or cables, and other services and public works, as it thinks necessary or desirable for the use, convenience, and enjoyment of the land subdivided or re-subdivided.

(5) The Corporation may pay out of its Capital Reserve Account (known as the Air Development Capital Reserve Fund) all the costs and expenses incurred by it in subdividing, re-subdividing, leasing, or selling any parts of the land under subsection (3), or in doing any of the things specified in subsection (4).

(6) The Corporation shall pay the net proceeds from the subdivision, development, lease, and sale of any parts of the land under subsection (3) into its Air Development Capital Reserve Fund.

(7) The Corporation shall then apply those proceeds in recoupment of all costs and expenses paid from the Air Development Capital Reserve Fund under subsection (5).

(8) After applying the proceeds in accordance with subsection (7), the Corporation shall divide the balance of the proceeds into 2 equal portions.

(9) Without prejudice to section 13B of the Civil Aviation Act 1964, the Corporation shall pay the first portion of the balance of the proceeds to the Minister of Civil Aviation and Meteorological Services, who shall lodge it to the credit of the Consolidated Revenue Account.

(10) The Corporation shall apply the other portion of the balance of the proceeds in reduction of any loans raised by the Corporation in connection with the acquisition and development of Momona Airport, and may apply any excess for any purpose for which it may lawfully apply any of its income.

(11) All subdivisions, developments, and sales of parts of the land completed by the Corporation before the commencement of this section, and all payments made by the Corporation in respect of the costs and expenses incurred by it in doing so, that would have been valid if this section had been in force at the time when they were completed or made, are hereby validated and declared to have been lawfully completed and made; and the Corporation shall apply the net proceeds from such subdivisions, developments, and sales in accordance with the other provisions of this section.

(12) This section relates to the following land:

All that area of land in Mosgiel Borough and Taieri County, Otago Land District, containing first 90.4067 hectares, more or less, being Section 18, Block VI, East Taieri Survey District, and being all the land in cancelled certificate of title Register 1D, folio 554, Otago Land Registry (SO Plan 13669); and secondly 40.2257 hectares, more or less, being Section 12 and Part Section 11, Block V, East Taieri Survey District, and being all the land in cancelled certificate of title Volume 262, folio 15 (limited as to parcels), Otago Land Registry.

Section 9(1): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 9(2A): inserted, on 23 September 2015, by section 32 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

Section 9(2B): inserted, on 23 September 2015, by section 32 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

Section 9(2C): inserted, on 23 September 2015, by section 32 of the Reserves and Other Lands Disposal Act 2015 (2015 No 84).

Section 9(10): amended, on 15 November 2000, by section 3 of the Reserves and Other Lands Disposal Amendment Act 2000 (2000 No 80).

10 Empowering the New Plymouth City Corporation to subdivide, develop, lease, and sell the old Bell Block Airport, and requiring it to apply the proceeds for the benefit of the new airport at Brown Road

Whereas the Mayor, Councillors, and Citizens of the City of New Plymouth (in this section called **the Corporation**) are registered as the proprietors of an estate in fee simple in the land first and secondly described in subsection (11):

And whereas the land comprises the old airport at Bell Block and is controlled by the Corporation:

And whereas Bell Block Airport became inadequate for the needs of the district, and a new airport was therefore constructed at Brown Road, New Plymouth, under the control of the Corporation:

And whereas by a deed dated 3 December 1964, made between the Corporation and the Crown, it was agreed between the parties that the Corporation should subdivide, sell, lease, or otherwise dispose of the land first described in subsection (11):

And whereas by Order in Council 171091 the Corporation was directed to sell the land secondly described in that subsection:

And whereas none of the land has been subdivided, sold, leased, or otherwise disposed of:

And whereas doubts have arisen as to the power of the Corporation to subdivide, develop, sell, or lease the land first and secondly described in that subsection or to pay any costs or expenses incurred in doing so:

And whereas it is desired to remove such doubts by conferring that power on the Corporation by this section:

And whereas it is also desired to provide for the application of the proceeds of all such subdivisions, developments, sales, and leases of any parts of the land:

Be it therefore enacted as follows:

(1) Notwithstanding the Airport Authorities Act 1966 or the Civil Aviation Act 1964 or any other enactment or rule of law, the Corporation shall hold, administer, and dispose of the land first and secondly described in subsection (11) in accordance with the provisions of this section.

(2) The Corporation shall, as long as any parts of the land are still required for the purposes of an aerodrome, continue to hold those parts of the land for those purposes.

(3) The Corporation may from time to time, with the prior consent in writing of the Minister of Civil Aviation and Meteorological Services, do any 1 or more of the following things in respect of any part of the land that is no longer required for the purposes of an aerodrome:

(a) subdivide or re-subdivide it into lots:

(b) lease it on such terms and conditions as the Corporation may think fit:

(c) sell it by such method of sale and on such terms and conditions as the Corporation thinks fit, with or without any grants or reservations of easements or other rights or privileges in favour of the purchaser or the Corporation or any other person.

(4) The Corporation may, in subdividing or re-subdividing any part of the land under subsection (3), construct or provide such public streets, service lanes, access ways, sanitary and water drains, water supplies, electric power lines or cables, and other services and public works, as it thinks necessary or desirable for the use, convenience, and enjoyment of the land subdivided or re-subdivided.

(5) The Corporation may pay out of its Capital Reserve Account (known as the Bell Block Realisation Reserve Fund) all the costs and expenses incurred by it in subdividing, re-subdividing, leasing, or selling any parts of the land under subsection (3), or in doing any of the things specified in subsection (4).

(6) The Corporation shall pay the net proceeds from the subdivision, development, sale, and lease of any parts of the land under subsection (3) into its Bell Block Realisation Reserve Fund.

(7) The Corporation shall then apply those proceeds in recoupment of all costs and expenses paid from the Bell Block Realisation Reserve Fund under subsection (5).

(8) After applying the proceeds in accordance with subsection (7), the Corporation shall divide the balance of the proceeds into 2 equal portions.

(9) Without prejudice to section 13B of the Civil Aviation Act 1964, the Corporation shall pay the first portion of the balance of the proceeds to the Minister of Civil Aviation and Meteorological Services, who shall lodge it to the credit of the Consolidated Revenue Account.

(10) The Corporation shall apply the other portion of the balance of the proceeds in reduction of any loans raised by the Corporation in connection with the acquisition and development of the airport at Brown Road, New Plymouth, and may apply any excess for any purpose for which it may lawfully apply any of its income.

(11) This section relates to the following land:

All that area of land in Taranaki County, Taranaki Land District, containing first 117.0047 hectares, more or less, being Part Kaipakopako No 1 Block (DP 1468), and Section 145, Part Section 73 (DP 153), Part Section 77 (DP 343), Part Section 78B and 79, Part Mangateranoho Stream Bed and Lots 1, 2, 3, 4, 5, and 6, DP 5331, being Sections 74, 75, and 76 Waitara West District situated in Blocks II and III, Paritutu Survey District, and being all the land contained in certificate of title, Volume 144, folio 11, Taranaki Land Registry, subject to a pipeline easement registered as Document Number 165446 in favour of the Natural Gas Corporation of New Zealand; and secondly 100.1518 hectares, more or less, being Part Sections 149 and 150

Waitara West District, and Section 17, Bell District, situated in Blocks II and III, Paritutu Survey District, and being the balance of the land contained in certificate of title, Register B2, folio 818, Taranaki Land Registry, subject to a compensation certificate 182595 under the provisions of section 17 of the Public Works Amendment Act 1948 affecting Section 150, Waitara West District.

Section 10(10): amended, on 15 November 2000, by section 4 of the Reserves and Other Lands Disposal Amendment Act 2000 (2000 No 80).

Notes

1 General

This is a consolidation of the Reserves and Other Lands Disposal Act 1973 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Civil Aviation Act 2023 (2023 No 10): section 486

Reserves and Other Lands Disposal Act 2015 (2015 No 84): section 32

Reserves and Other Lands Disposal Amendment Act 2000 (2000 No 80)

Maori Purposes Act 1947 (1947 No 59): section 2(2)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2025