

**Reprint
as at 3 April 1985**



**Reserves and other Lands Disposal
Act 1937**

Public Act 1937 No 39
Date of assent 15 March 1938
Commencement 15 March 1938

Contents

	Page
Title	3
1 Short Title	3
2 Section 7 of the Canterbury Provincial Buildings Vesting Act 1928 amended	3
3 Authorising the acquisition of land for sale to the Hawera Co-operative Dairy Factory Co., Ltd.	3
4 Validating the granting of leases over Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta)	4
5 Section 20 of Rotorua Town Lands Act 1920 and Schedule 3 of that Act extended	4
6 Providing for the reclamation of portion of the bed of the Greymouth Harbour	5
7 Validating payments made by the Ohai Domain Board	6
8 Revoking the reservation over portion of the Wanganui River Trust Domain and authorising the incorporation thereof in a lease of adjoining land	7

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.

9	Empowering Thames Borough Council to sell portion of its endowment and to apply the proceeds towards the cost of new municipal offices	8
10	Enabling the Land Court of the Cook Islands to determine the ownership of the Island of Takutea	9
11	Authorising the Taumarunui Borough Council to grant a lease to the Taumarunui Fire Board	10
12	Reserving land for a public cemetery and vesting it in the Corporation of the Borough of Taumarunui	11
13	Validating the payment by the Matamata Borough Council of the balance of a loan for water supply purposes towards the purchase of land for scenic purposes	12
14	Setting apart Sections 202 and 203, Town of Dobson, for the establishment of a rescue station in terms of section 6 of the Coal Mines Amendment Act 1936	13
15	Adding portion of the Buller Coal Field Reserve to the Denniston Domain	14
16	Adding portion of the Buller Coal Field Reserve to the Stockton Domain	14
17	Reappointing a disqualified member of the Patutahi Domain Board	15
18	Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau	16
19	Revoking the reservation as an endowment for primary education over land in the Town of Pahi and adding the said land to the Pahi Domain	16
20	Declaring certain land in Nelson Land District to be a scenic reserve and making provision for payment of compensation to any persons having beneficial interests therein	16
21	Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain	18
22	Extending leasing powers with respect to the Pukaahu Hot Springs Domain	18
23	Adding the reserve described in the Schedule of the Blueskin Recreation Reserve Act 1876 to the Warrington Domain	19
24	Cancelling the reservation as provisional State forest over certain land in Nelson Land District and declaring it, together with certain Crown land, to be a scenic reserve	20
25	Setting apart portion of the Westport Colliery Reserve as a reserve for public recreation	21

26	Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act 1908	22
27	Making provision for the management and administration of the Mount Smart Domain <i>[Repealed]</i>	22
28	Providing for revaluations under certain leases and licences of land in Te Kuiti, Taumarunui, and Otorohanga <i>[Repealed]</i>	23
	Schedule	24

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 1937.

2 Section 7 of the Canterbury Provincial Buildings Vesting Act 1928 amended

Amendment(s) incorporated in the Act(s).

3 Authorising the acquisition of land for sale to the Hawera Co-operative Dairy Factory Co., Ltd.

Whereas the land hereinafter described is Maori land set apart under the West Coast Settlement (North Island) Act 1880 and is held under lease for a term of 21 years, with perpetual right of renewal, by the Hawera Co-operative Dairy Factory Company, Limited (hereinafter called the **company**):

And whereas the company desires the Crown to acquire the said land in order that the freehold thereof may be sold to the company:

And whereas the Crown may only acquire such land for the purpose of general settlement and the acquisition of the said land by the Crown for sale to the company cannot be considered to be an acquisition for the said purpose:

And whereas it is expedient that provision should be made whereby the said land may be sold to the company:

Be it therefore enacted as follows:

- (1) The land hereinafter described may be acquired by the Crown under the Maori Land Act 1931 in all respects as if the said land were being acquired for general settlement.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Taranaki Land District, containing by ad-measurement 3 acres 14 perches and four-tenths of a perch, more or less, being Part Lot 4 on plan numbered 673, deposited in the office of the District Land Registrar at New Plymouth, and all the land on plan numbered 3447 (part Ngatitupa Block), deposited in the said office, and being part Section 4, Block II, Hawera Survey District.

Section 3: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 3(1): amended, on 27 November 1947, pursuant to section 4(1) of the Maori Purposes Act 1947 (1947 No 59).

4 Validating the granting of leases over Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta)

Notwithstanding anything to the contrary in the Education Reserves Act 1928 or in any other Act, the leases granted by the Otago Boys' and Girls' High Schools Board of Subdivisions 1 and 2 of Runs 161 and 162 (Mokoreta), Otago and Southland Land Districts, to John Campbell Begg and Eric Thomas Robert Ayson respectively are hereby declared to have been lawfully granted.

5 Section 20 of Rotorua Town Lands Act 1920 and Schedule 3 of that Act extended

Whereas by section 20 of the Rotorua Town Lands Act 1920 (hereinafter referred to as the **said Act**), the lands described in Schedule 3 of that Act were declared to be public streets, subject to the proviso that the liability of the respective lessees of the lands whereof the said streets formed part for the formation and metalling of such streets, and for the construction of kerbing, footpaths, drainage, or other works necessary to put

such streets in proper order for traffic, should not be deemed to be thereby waived, limited, or otherwise affected:

And whereas certain areas were omitted from the said Schedule, and it is desirable that the areas so omitted should be included therein as from the passing of the said Act:

And whereas it is expedient whenever any Crown land described in Schedules 1 and 2 of the said Act and comprised in any lease is laid off for a street that such street should be proclaimed a public street, and that the above-mentioned proviso should apply thereto:

Be it therefore enacted as follows:

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) Whenever any Crown land described in Schedules 1 or 2 of the said Act and comprised in any lease is laid off for a street the Governor-General may, by Proclamation, declare the said land to be a street, and such Proclamation when gazetted shall be conclusive evidence that the land therein referred to is a public street. The land comprised in any street proclaimed as aforesaid shall be deemed to be included in Schedule 3 of the said Act, and the provisions of section 20 of the said Act shall, so far as they are applicable and with the necessary modifications, apply accordingly with respect thereto.

6 Providing for the reclamation of portion of the bed of the Greymouth Harbour

- (1) The Minister of Public Works may from time to time reclaim the land hereinafter described, or portions thereof, from the sea, and may for that purpose, if he thinks fit, in the name and on behalf of His Majesty the King, enter into contracts with any person for the execution of all or any of the works which may be necessary or expedient in or about the filling-up and reclaiming of such land as aforesaid, upon such terms and conditions as may to him seem proper and reasonable.
- (2) Such portions of the said land as may from time to time be reclaimed as aforesaid shall become a public reserve within the meaning of the Public Reserves, Domains, and National Parks Act 1928.

- (3) Any reclamation or protective work already executed within the boundaries of the said land is hereby validated and declared to have been lawfully executed.
- (4) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1923.
- (5) The land to which this section relates is particularly described as follows:

All that piece of land, being portion of the bed of the Greymouth Harbour, containing an area of approximately 23 acres, bounded as follows: Starting at a point marked A on the plan hereinafter mentioned adjacent to Water Walk in the Borough of Greymouth; thence in a north-westerly direction along a line on a bearing of $333^{\circ}30'$ for a distance of 560 links; thence in a northerly direction along a line on a bearing of $17^{\circ}30'$ for a distance of 555 links; thence in a north-easterly direction along a line on a bearing of $65^{\circ}30'$ for a distance of 390 links; thence in an easterly direction along a line on a bearing of $106^{\circ}30'$ for a distance of 545 links; thence in a north-easterly direction along a line on a bearing of $39^{\circ}45'$ for a distance of 1 045 links; thence in a northerly direction along a line on a bearing of $351^{\circ}45'$ for a distance of 555 links; thence in a north-westerly direction along a line on a bearing of $310^{\circ}30'$ for a distance of 175 links; thence in a westerly direction along a line on a bearing of $267^{\circ}15'$ to the point marked B on the plan hereinafter mentioned; thence in a southerly direction generally along the original line of mean high-water mark to the point of commencement: as the same is more particularly delineated on the plan marked PWD 97804, deposited in the office of the Minister of Public Works at Wellington, and thereon edged red.

7 Validating payments made by the Ohai Domain Board

Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, the payments made during the financial year ended 31 March 1937 and the financial year ending 31 March 1938 by the Ohai Domain Board to Thomas Todd in respect of services rendered by him as the Board's Supervisor while a member of the said Board are hereby validated and declared

to have been lawfully made by the said Board and to have been lawfully received by the said Thomas Todd.

8 Revoking the reservation over portion of the Wanganui River Trust Domain and authorising the incorporation thereof in a lease of adjoining land

Whereas by section 9 of the Wanganui River Trust Act 1891 the Governor-General is empowered to declare by Proclamation any lands within the district under the jurisdiction of the Wanganui River Trust to be a public domain:

And whereas by Proclamation published in the *Gazette* of 29 December 1892 the land described in the Schedule of the said Proclamation, comprising 33 033 acres, more or less, was set apart as a public domain and placed under the control of the said Trust:

And whereas it is desired that the reservation over the portion of the said public domain hereinafter described should be revoked, the vesting of the control thereof in the said Trust cancelled, and the said portion incorporated in a renewable lease of adjoining Crown land:

Be it therefore enacted as follows:

- (1) The reservation as a public domain over the land hereinafter described is hereby revoked, and the vesting of the control thereof in the Wanganui River Trust is hereby cancelled, and the said land is hereby declared to be Crown land subject to the provisions of the Land Act 1924.
- (2) The land hereinafter described is hereby incorporated in the renewable lease numbered 338 of Section 12, Block I, Hunua Survey District, Wellington Land District, and, upon the application of the Commissioner of Crown Lands for the said district, the District Land Registrar of the Wellington Land Registration District is hereby empowered and directed to make an appropriate entry, in respect of the said incorporation, on the lease for the said section which is retained in his office, forming folium 260 of Volume 378 of the Register book, and also upon the outstanding copy thereof.
- (3) The land to which this section relates is particularly described as follows:

All that area in the Wellington Land District, containing by admeasurement 23 perches and two-tenths of a perch, more or less, being part of Reserve E, Block I, Hunua Survey District: as the same is more particularly delineated on the plan marked L and S 1/440/2, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

9 Empowering Thames Borough Council to sell portion of its endowment and to apply the proceeds towards the cost of new municipal offices

Whereas pursuant to the authority of section 350 of the Municipal Corporations Act 1876, and of section 13 of the Reserves, Endowments, and Crown and Maori Lands Exchange, Sale, Disposal, and Enabling Act 1898, the land hereinafter described was vested in the Corporation of the Borough of Thames, in trust as an endowment for the borough funds:

And whereas the Thames Borough Council has been unable profitably to deal with the said land by way of lease and desires to be empowered to sell the said land by public auction and to apply the proceeds of such sale towards the cost of the erection of new municipal offices:

And whereas the Council has by notices published in newspapers circulating in the locality advertised the intention to obtain authority to sell the said land and no objections have been received to the sale thereof in the manner and for the purpose above mentioned:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Thames Borough Council is hereby empowered to sell, by public auction, the land hereinafter described, freed and discharged from the trusts, reservations, and restrictions affecting the same.
- (2) *[Repealed]*
- (3) The land to which this section relates is more particularly described as follows:

All that area in the Auckland Land District, Piako County, containing by admeasurement 1 906 acres 2 roods 26 perches, more or less, being Lots 1, 2, 3, 4, and 7 on a plan numbered

2170, deposited in the office of the District Land Registrar at Auckland, and being portion of Section 2, Block VIII, Waitoa Survey District, and part of the eastern portion of Te Tautiti Number 1 Block, and portion of Wharekahu, Kahamiroi, Ruahine Numbers 1 and 2, Ahikope Number 1, and Totarapapa Blocks, and being the whole of the land comprised in certificate of title, Volume 477, folio 122, Auckland Registry, together with a strip of land lying between the south-western boundaries of Lots 1 and 2 aforesaid and the north-eastern boundary of Lot 7 aforesaid, such strip of land being shown as a road on Plan 2170 aforesaid, and being portion of Section 2, Block VIII, Waitoa Survey District, contained in certificate of title, Volume 92, folio 171, Auckland Registry, and part of the eastern portion of Te Tautiti Number 1 Block contained in certificate of title, Volume 20, folio 38, Auckland Registry: as the same is more particularly delineated on a plan marked L and S 58282A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 9: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 9(2): repealed, on 30 August 1940, by section 19(3) of the Thames Borough Commissioner Amendment Act 1940 (1940 No 12).

Section 9(3): amended (with effect on 15 March 1938), on 16 September 1938, by section 6 of the Reserves and other Lands Disposal Act 1938 (1938 No 19).

10 Enabling the Land Court of the Cook Islands to determine the ownership of the Island of Takutea

Whereas on 19 December 1902 the Cook Islands Land Titles Court sitting at Rarotonga awarded the Island of Takutea to Ngamaru Ariki:

And whereas the said Ngamaru Ariki thereupon gave the said Island of Takutea to His Majesty the King for the benefit of His Majesty's subjects in the Cook Group:

And whereas on the day above mentioned the said court made an Order that the said island should be, as from 31 March 1903, reserved and vested in His Majesty the King, his heirs and successors, for the general benefit of the people of the Cook Islands:

And whereas the claim of the said Ngamaru Ariki to own the said island and his right to give the said island to His Majesty as hereinbefore recited have been in dispute since the above-mentioned Order of the said court was made:

And whereas it has been found upon inquiry that the said island was originally owned by the native owners of the Island of Atiu:

And whereas it is desirable that the said Island of Takutea should be vested in the native owners of the Island of Atiu:

Be it therefore enacted as follows:

The said island of Takutea is hereby freed from all trusts and reservations heretofore affecting it, and is hereby declared to be customary land within the meaning of the Cook Islands Act 1915, and the Land Court of the Cook Islands shall have and shall exercise exclusive jurisdiction to investigate the title to the said island according to the native customs and usages of the Cook Islands, and to determine the names of the persons entitled thereto and to specify their relative interests therein.

Section 10 heading: amended, at 10.30 pm on 4 August 1965, pursuant to section 57(4) of the Cook Islands Amendment Act 1964 (1964 No 70).

Section 10: amended, at 10.30 pm on 4 August 1965, pursuant to section 57(4) of the Cook Islands Amendment Act 1964 (1964 No 70).

11 Authorising the Taumarunui Borough Council to grant a lease to the Taumarunui Fire Board

Whereas Section 7, Block III, Taumarunui Maori Township, Auckland Land District, is a public reserve vested in the Corporation of the Borough of Taumarunui in trust for municipal purposes:

And whereas by virtue of section 14 of the Public Reserves, Domains, and National Parks Act 1928 the said section may be leased only by public auction or by public tender:

And whereas the Taumarunui Borough Council desires to grant to the Taumarunui Fire Board a lease of the said section for a term of 66 years for the purpose of erecting and maintaining a fire brigade station thereon:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act 1928 or in any other Act, the Taumarunui Borough Council is hereby authorised to grant to the Taumarunui Fire Board a lease of Section 7, Block III, Taumarunui Maori Township, Auckland Land District, containing by admeasurement 1 rood and 8 perches, more or less, or of any part thereof, for a term of 66 years commencing not later than 1 January 1939, at a peppercorn rental, and any lease so granted shall include a covenant by the said Board to pay all rates and taxes for or in respect of the said section or any part thereof and shall include such other covenants, conditions, and provisions, not inconsistent with this section, as the said Council shall think fit, and the said Council may accept a surrender of any lease so granted.

Section 11: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

12 Reserving land for a public cemetery and vesting it in the Corporation of the Borough of Taumarunui

Whereas the land hereinafter described, situated within the Borough of Taumarunui, comprises portion of an area along the bank of the Ongarue River reserved from sale or other disposition pursuant to section 129 of the Land Act 1924:

And whereas the said land adjoins a reserve for a public cemetery vested in the Corporation of the said borough:

And whereas it is desirable to reserve the said land for the purpose of a public cemetery and to vest it in the said Corporation in trust for that purpose:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Land Act 1924 or in the Cemeteries Act 1908, Section 2, Block I, Piopioatea Survey District, Auckland Land District, containing by admeasurement 30 perches, more or less, is hereby reserved for the purpose of a public cemetery, and is hereby vested in the Corporation of the Borough of Taumarunui in trust for the said purpose.

13 Validating the payment by the Matamata Borough Council of the balance of a loan for water supply purposes towards the purchase of land for scenic purposes

Whereas the Matamata Borough Council (hereinafter referred to as the **Council**) joined with the Crown in the acquisition for scenic purposes of the land hereinafter described:

And whereas out of the total purchase price of 4,610 pounds 3 shillings and 10 pence, the Council provided 2,110 pounds 3 shillings and 10 pence:

And whereas of the last-mentioned sum 110 pounds 3 shillings and 10 pence was paid by the Council out of its General Fund pursuant to section 5 of the Scenery Preservation Amendment Act 1926, and the balance of 2,000 pounds paid by the Council represented the unexpended balance of a loan authorised in the year 1922 for water supply purposes:

And whereas the Council had no authority in law so to deal with the unexpended balance of the said loan:

And whereas it is expedient to validate the action of the Council:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the payment by the Council of the sum of 2,000 pounds, being the balance of a loan authorised for water supply purposes in the year 1922, towards the purchase for scenic purposes of the land hereinafter described is hereby validated and declared to have been lawfully made.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Auckland Land District, containing by admeasurement 4 477 acres and 28 perches, more or less, being all the land comprised in certificate of title, Volume 265, folio 237, Auckland Registry, and also all that area in the Auckland Land District, containing by admeasurement 13 acres 2 roods and 35 perches, more or less, being part of Lot 12 on plan numbered 6606, deposited in the Auckland Registry, and being part of the land on plan numbered 7148, deposited in the said Registry, the said area being part of the land comprised in certificate of title, Volume 655, folio 70, of the said Registry:

as the same is more particularly delineated on the plan marked L and S 22/2731, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

14 Setting apart Sections 202 and 203, Town of Dobson, for the establishment of a rescue station in terms of section 6 of the Coal Mines Amendment Act 1936

Whereas Sections 202 and 203, Town of Dobson, Westland Land District, comprise portion of the Westland-Grey Coal Field Reserve set apart by and described in Schedule 1 of the Westland and Nelson Coal Fields Administration Act 1877, and are now administered in accordance with the provisions of the Greymouth Harbour Board Act 1884 as an endowment of the Greymouth Harbour Board:

And whereas the Grey Valley Collieries, Limited, a duly incorporated company (hereinafter referred to as the **company**) holds coal mining rights over the said sections by virtue of deeds of lease made on 6 December 1920 and 17 January 1928 between His Majesty the King as lessor and the company as lessee under the provisions of the Coal Mines Act 1925:

And whereas it is desirable that the said sections should be made available for the establishment thereon of a rescue station in terms of section 6 of the Coal Mines Amendment Act 1936:

And whereas the said Board has agreed to the said sections being made so available and the company has agreed to waive any contingent surface rights to the said sections which it may have by virtue of the said deeds of lease:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act 1877, or in the Greymouth Harbour Board Act 1884, or in any other Act, Sections 202 and 203, Town of Dobson, Westland Land District, containing 2 roods, more or less, are hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting them and from any contingent surface rights to which the company may be entitled as hereinbefore mentioned, and the said sections are hereby set apart for the purpose of the estab-

lishment and maintenance thereon of a rescue station in all respects as if the said sections had been acquired for that purpose under the provisions of section 6 of the Coal Mines Amendment Act 1936.

15 Adding portion of the Buller Coal Field Reserve to the Denniston Domain

Whereas Section 41, Block VI, Kawatiri Survey District, Nelson Land District, is portion of the Buller Coal Field Reserve which was set apart by and described in Schedule 3 of the Westland and Nelson Coal Fields Administration Act 1877 and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act 1920:

And whereas it is desirable that the said section should be brought under Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and added to the Denniston Domain:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act 1877 or in any other Act, Section 41, Block VI, Kawatiri Survey District, Nelson Land District, containing 2 acres and 26 perches, more or less, is hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting it, and the said section is hereby declared to be subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Denniston Domain.

16 Adding portion of the Buller Coal Field Reserve to the Stockton Domain

Whereas Section 8, Block VII, Ngakawau Survey District, Nelson Land District, comprises portion of the Buller Coal Field Reserve which was set apart by and described in Schedule 3 of the Westland and Nelson Coal Fields Administration Act 1877, and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act 1920:

And whereas the Westport Coal Company, Limited, a duly incorporated company (hereinafter referred to as the **company**) holds coal mining rights over the said section:

And whereas it is desirable that the said section should be brought under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and added to the Stockton Domain:

And whereas the company has agreed to the said section being added to the said domain:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act 1877 or in any other Act, Section 8, Block VII, Ngakawau Survey District, Nelson Land District, containing 1 acre 2 roods and 28 perches, more or less, is hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting it and from any contingent surface rights to which the company may be entitled as hereinbefore mentioned, and the said section is hereby declared to be subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Stockton Domain.

17 Reappointing a disqualified member of the Patutahi Domain Board

Whereas John Hubert Monteith, a member of the Patutahi Domain Board, was interested in a contract made by the said Board whereby during the financial year ended 31 March 1937 the said Board made payments exceeding 25 pounds, and the said John Hubert Monteith thereby, in pursuance of the provisions of the Local Authorities (Members' Contracts) Act 1934 became incapable of continuing to hold office as a member of the said Board:

And whereas it is desirable that the services of the said John Hubert Monteith as member of the said Board should be retained:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Authorities (Members' Contracts) Act 1934 or in any other Act, John Hubert Monteith is hereby appointed a member of the Patutahi Domain Board.

18 Vesting certain Auckland Grammar School land in the Corporation of the County of Manukau

Notwithstanding anything to the contrary in the Auckland Grammar School Act 1899 or in any other Act, Lot 2 on plan numbered 27595, deposited in the office of the District Land Registrar at Auckland, containing 32 perches, more or less, and being part of the land comprised in certificate of title, Volume 357, folio 173, Auckland Registry, is hereby set apart for the purpose of a site for county buildings and is hereby vested in the Corporation of the County of Manukau in trust for the aforesaid purpose.

19 Revoking the reservation as an endowment for primary education over land in the Town of Pahi and adding the said land to the Pahi Domain

Whereas the land hereinafter described is reserved as an endowment for primary education:

And whereas it is desirable that the reservation over the said land should be revoked and that the said land should be brought under the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Pahi Domain:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Education Reserves Act 1928 or in any other Act, the reservation as an endowment for primary education over Sections 12, 13, 14, 15, and 16, Town of Pahi, North Auckland Land District, containing by admeasurement 1 acre 1 rood and 8 perches, more or less, is hereby revoked and the said sections are hereby declared to be subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928, and to form part of the Pahi Domain.

20 Declaring certain land in Nelson Land District to be a scenic reserve and making provision for payment of compensation to any persons having beneficial interests therein

Whereas the land described in subsection (4) was selected and set aside for the benefit of aboriginal Maori at the time when

the West Coast Block of the South Island was purchased by the Crown:

And whereas the said land has never been vested in the Maori for whose benefit it was so set aside:

And whereas it is desirable that the said land should be set apart as a scenic reserve, subject to the provisions of the Scenery Preservation Act 1908, as recommended by the Scenery Preservation Board, and that provision should be made for the payment of adequate compensation therefor to the Maori beneficially entitled thereto or to their successors:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby freed from all trusts and reservations heretofore affecting it and is hereby declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act 1908.
- (2) The Maori Land Court is hereby empowered and directed to inquire into and determine the identity and relative shares of all persons beneficially entitled to any interest in the land described in subsection (4), the amount of adequate compensation payable in respect of the loss thereof, and the manner in which the amount of compensation so determined shall be paid to the persons entitled thereto.
- (3) The decision of the Maori Land Court in regard to the matters mentioned in the last preceding subsection shall be forwarded to the Minister charged for the time being with the administration of the Scenery Preservation Act 1908 and thereupon the amount of compensation as determined by the said court may be paid without further authority than this section out of moneys appropriated by Parliament for the acquisition of scenic reserves.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, containing 50 acres, more or less, being Section 45, Block IV, Ohika Survey District.

Section 20: amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

Section 20(2): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

Section 20(3): amended, on 27 November 1947, pursuant to section 9(2)(a) of the Maori Purposes Act 1947 (1947 No 59).

21 Revoking the reservation for scenic purposes over certain land and adding it to the Ngakuta Domain

Whereas the land hereinafter described forms portion of a reserve for scenic purposes set apart by Proclamation published in the *Gazette* of 8 August 1912:

And whereas it is desirable that the reservation thereover for scenic purposes should be revoked and that the said land should be brought under Part 2 of the Public Reserves, Domains, and National Parks Act 1928 as an addition to the Ngakuta Domain:

Be it therefore enacted as follows:

- (1) The reservation for scenic purposes over the land hereinafter described is hereby revoked, and the said land is hereby declared to be subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and to be part of the Ngakuta Domain.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Marlborough Land District, containing by admeasurement 9 acres, more or less, being part of Section 13, Block XI, Linkwater Survey District, and bounded as follows: Towards the north by a road 1 chain wide along the shores of Governor's Bay; towards the east, 1 198 links, by the original boundaries of the Whenuanui Maori Block; towards the south by the Picton–Grove Road; and towards the west, 552.8 links, by the Ngakuta Maori Block: as the same is more particularly delineated on the plan marked L and S 4/260, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 21(2): amended, on 27 November 1947, pursuant to section 2 of the Maori Purposes Act 1947 (1947 No 59).

22 Extending leasing powers with respect to the Pukaahu Hot Springs Domain

Whereas by section 2 of the Reserves and other Lands Disposal Act 1933, an area of 10 acres 3 roods 38 perches, more

or less, being part of Section 12, Rangitaiki Parish, Block VII, Rangitaiki Upper Survey District, was set apart as a public domain, subject to the provisions of Part 2 of the Public Reserves, Domains, and National Parks Act 1928 (hereinafter referred to as the **said Act**), under the name of the Pukaahu Hot Springs Domain (hereinafter referred to as the **said domain**), and the Whakatane County Council was appointed the Domain Board in respect thereof:

And whereas hot springs of considerable value are contained within the said domain, and it is desirable that they should be developed for the public benefit:

And whereas with that end in view it is expedient that the Governor-General should be empowered to lease the whole or any part of the said domain on such terms and conditions as may seem to be desirable in the public interest:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the said Act, the Governor-General may from time to time lease the whole or any portion of the said domain, including any land which may hereafter be added thereto, for such period not exceeding 21 years, with such rights of renewal, and subject to such rents and conditions and in such manner and form as he thinks fit, and may accept any surrender of any lease so granted by him.
- (2) The leasing powers conferred by this section are in addition to and not in substitution for the powers of leasing conferred with respect to the said domain by the said Act.

23 Adding the reserve described in the Schedule of the Blueskin Recreation Reserve Act 1876 to the Warrington Domain

Whereas the land described in the Schedule of the Blueskin Recreation Reserve Act 1876 was by that Act vested in trustees in trust to be used for recreation purposes only for the inhabitants of the District of Blueskin and the surrounding districts:

And whereas the original trustees are dead and no steps appear to have been taken to have further trustees appointed:

And whereas it is expedient that the said reserve should be brought under the provisions of Part 2 of the Public Reserves,

Domains, and National Parks Act 1928 and added to the Warrington Domain:

Be it therefore enacted as follows:

- (1) The land described in the Schedule of the Blueskin Recreation Reserve Act 1876 is hereby declared to be subject to Part 2 of the Public Reserves, Domains, and National Parks Act 1928 and to form part of the Warrington Domain.
- (2) The Blueskin Recreation Reserve Act 1876 is hereby consequentially repealed.

24 Cancellling the reservation as provisional State forest over certain land in Nelson Land District and declaring it, together with certain Crown land, to be a scenic reserve

Whereas the land hereinafter described comprises certain provisional State forest reserve set apart by Proclamation published in the *Gazette* of 25 March 1920, subject to the provisions of the Forests Act 1921–22, and also certain Crown land subject to the provisions of the Land Act 1924:

And whereas it is desirable that the said land should be reserved as a scenic reserve subject to the provisions of the Scenery Preservation Act 1908 as recommended by the Scenery Preservation Board:

Be it therefore enacted as follows:

- (1) The reservation as provisional State forest over so much of the land hereinafter described as is subject thereto is hereby revoked and the whole of the said land is hereby declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act 1908.
- (2) The land to which this section relates is particularly described as follows:

All that area in the Nelson Land District, containing by ad-measurement 28 200 acres, more or less, bounded as follows: Commencing at a point being the north-eastern corner of Section 1, Block IV, Lewis Survey District; thence towards the north-east, north, and north-west generally by provisional State forest and Crown land by lines 110°19'30", 5 814 links; 132°, 8 000 links; 116°, 7 500 links; 100°, 6 600 links; 118°15', 2 000 links; 85°30', 1 000 links; 70°45', 2 500 links;

347°30', 3 600 links; 38°, 3 600 links; 77°30', 2 500 links; 84°, 2 500 links; 76°30', 5 500 links; 76°15', 10 000 links; 44°45', 6 500 links; 77°30', 5 500 links; 52°45', 4 500 links; 41°, 9 500 links; 35°30', 12 000 links; 21°30', 4 500 links; 32°30', 5 500 links; 122°, 5 800 links; 40°45', 7 000 links; and 101°30', 1 700 links, be all the aforesaid linkages a little more or less, to the Canterbury Land District boundary; thence towards the east, south-east, and south generally by the aforesaid boundary to its junction with the Westland Land District boundary; thence towards the west, south-west, and south generally by the last-mentioned boundary to the south-eastern corner of Section 2, Block VII, of the said survey district; thence towards the north-west generally by the said Section 2 and by Sections 18, 1, 14, and 17, Block III, of the said survey district to a public road; thence on the north generally by the said public road to the south-western boundary of Section 2, Stock Reserve, Block IV, of the said survey district and by that section to its south-eastern corner; thence towards the north-east, north, west, south, and south-west by part Section 2, Square 182, of the said Block IV, and Block I, Travers Survey District; thence towards the north-west generally by Section 1, Block IV, Lewis Survey District, to the point of commencement: as the same is more particularly delineated on the plan marked L and S 4/602, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red and yellow.

25 Setting apart portion of the Westport Colliery Reserve as a reserve for public recreation

Whereas by virtue of section 7 of the Reserves and other Lands Disposal Act 1932 the land hereinafter described comprises portion of the Westport Colliery Reserve described in Schedule 4 of the Westland and Nelson Coal Fields Administration Act 1877 and is now administered in accordance with the provisions of that Act and of the Westport Harbour Act 1920:

And whereas it is desirable to set the said land apart as a reserve for public recreation subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Westland and Nelson Coal Fields Administration Act 1877, or in the Westport Harbour Act 1920 or in any other Act, Sections 36 and 37, Block II, Steeples Survey District, Nelson Land District, containing by admeasurement 29 acres and 10 perches, more or less, are hereby freed and discharged from all trusts, reservations, and restrictions heretofore affecting the same and are hereby set apart as a reserve for public recreation subject to the provisions of Part 1 of the Public Reserves, Domains, and National Parks Act 1928:

provided that, except with the prior consent in writing of the Minister of Marine, no building or erection of any nature whatsoever shall be built, erected, or placed, and no tree or shrub of any kind shall be planted, on the said Section 36.

26 Revoking reservations over certain lands and declaring them to be subject to the Scenery Preservation Act 1908

Whereas the lands described in the Schedule are vested in the Crown for the purposes specified in the said Schedule:

And whereas it is desirable that the said lands should be reserved as scenic reserves subject to the provisions of the Scenery Preservation Act 1908 as recommended by the Scenery Preservation Board:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the reservations over the lands described in the Schedule are hereby revoked and the said lands are hereby declared to be scenic reserves and to be subject to the provisions of the Scenery Preservation Act 1908.

27 Making provision for the management and administration of the Mount Smart Domain

[Repealed]

Section 27: repealed, on 3 April 1985, by section 5(a) of the Auckland Regional Authority (Mount Smart) Expenditure Act 1985 (1985 No 1 (L)).

**28 Providing for revaluations under certain leases and
licences of land in Te Kuiti, Taumarunui, and Otorohanga**
[Repealed]

Section 28: repealed, on 1 April 1949, by section 185(1) of the Land Act 1948
(1948 No 64).

Schedule

No	Description of land	Purpose for which land reserved	Instrument of reservation
1	Allotments 62A and 77A, Parish of Manaia, in the North Auckland Land District, containing 116 acres, more or less (L and S 4/101)	Primary education	Notice in Auckland Provincial Government <i>Gazette</i> , 8 June 1870, and notice in <i>Gazette</i> , 16 December 1878.
2	Section 1, Block I, Pakawau Survey District, Nelson Land District, containing 54 acres 6 perches, more or less (L and S 4/490)	Public domain	Notice in <i>Gazette</i> , 30 October 1930.
3	Section 9, Block I, and Section 14, Block V, Matakītaki Survey District, Nelson Land District, containing 1 965 acres, more or less (L and S 4/580)	Provisional State forest	Notice in <i>Gazette</i> , 25 March 1920.
4	Reserves 1234, 1236, and 1452, formerly parts Lots 4 and 5 of Education Endowment Reserve 131, Block IV, Hohonu Survey District, Westland Land District, containing 192 acres 2 roods 5 perches, more or less: as the same is more particularly delineated on the plan marked L and S 609, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green	Secondary education	Notices in <i>Gazettes</i> of 23 December 1875, and 12 June 1878.
5	Part Education Endowment Reserve 124, Block XIII, Wataroa Survey District, Westland Land District, containing 850 acres, more or less: as the same is more particularly delineated on plan marked L and S 573, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green	Primary education	Notices in <i>Gazettes</i> of 23 December 1875, and 12 June 1878.

No	Description of land	Purpose for which land reserved	Instrument of reservation
6	Section 44, formerly part Section 18, Block XII, Tautuku Survey District, Otago Land District, containing 42 acres 1 rood 36 perches, more or less (L and S 4/808)	Provisional State forest	Notices in <i>Gazette</i> , 6 April 1922.
7	Section 39, formerly part Section 14, Block VIII, Tautuku Survey District, Otago Land District, containing 24 acres 2 roods 14 perches, more or less (L and S 4/700)	Provisional State forest	Notice in <i>Gazette</i> , 2 October 1924.
8	Section 14 and part Sections 9, 10, 11, 12, and 13, Block XV, and Sections 37, 39, and part Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32, Block XVII, Waikawa Survey District, Southland Land District, containing 594 acres, more or less: as the same is more particularly delineated on the plan marked L and S 10/100/22, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red	Provisional State forest	Notice in <i>Gazette</i> , 22 March 1923.
9	Lot 2 of Section 10 and part Section 11, Block XXI, Invercargill Hundred, Southland Land District, containing 126 acres 33 perches, more or less: as the same is more particularly delineated on the plan marked L and S 4/244, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red	Primary education	Notice in <i>Gazette</i> , 14 July 1887.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Reserves and other Lands Disposal Act 1937. The reprint incorporates all the amendments to the Act as at 3 April 1985, 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)*

Auckland Regional Authority (Mount Smart) Expenditure Act 1985 (1985 No 1 (L)): section 5(a)

Cook Islands Amendment Act 1964 (1964 No 70): section 57(4)

Land Act 1948 (1948 No 64): section 185(1)

Maori Purposes Act 1947 (1947 No 59): sections 2, 4(1), 9(2)(a)

Thames Borough Commissioner Amendment Act 1940 (1940 No 12): section 19(3)

Reserves and other Lands Disposal Act 1938 (1938 No 19): section 6