

# **Municipal Reserves Act 1874**

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### **An Act to validate and authorize the Making of Reserves for Municipalities.**

#### **Preamble.**

WHEREAS in certain Acts of the General Assembly relating to the disposition of waste lands of the Crown, express power is given to make reserves as sites for buildings for the use of Municipal Corporations and Road Boards, and for the endowment of Municipal Corporations: And whereas in certain other enactments relating to the disposition of such lands of the Crown power is given to make reserves for specified purposes, and generally for other purposes of public utility: And whereas under the general power as aforesaid to make reserves for purposes of public utility, reserves have been made as sites for such buildings and for such endowment as aforesaid, and generally for municipal purposes, and doubts have arisen whether such reserves are valid, and it is expedient to set at rest such doubts:

**Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—**

**1 Short Title.**

The Short Title of this Act shall be “The Municipal Reserves Act, 1874.”

**2 Powers to make reserves for public purposes to include power to make reserves for municipality.**

Whenever in any Act or Regulation heretofore or hereafter to be passed or made relating to the disposition of waste lands of the Crown, power is given to make reserves for purposes of public utility, such power shall, unless such Act or Regulation shall expressly other-wise provide, be deemed to have given and to give power to make reserves for the following purposes:—

- (1.) For sites for any purpose for the use or benefit of any Municipal Corporation or Road or Highway Board.
- (2.) For the endowment of any Municipal Corporation or Road or Highway Board.
- (3.) Generally for municipal purposes for any Municipal Corporation city or town:

And any reserve made generally for municipal purposes for any Municipal Corporation, city or town, shall be deemed to be made either wholly or partly for the endowment thereof, or wholly or partly for any such purposes as the governing body of the municipality city or town shall determine, unless in any Ordinance of the province in which such land is situate passed by virtue of “The Public Reserves Act, 1854,” or any Act amending the same, it shall be otherwise provided.

**3 Reserves set apart in towns in which municipality not yet incorporated to be valid.**

Whenever at any time heretofore, under the general power aforesaid, any lands shall have been set apart or reserved for the endowment of Municipal Corporations, or generally for municipal purposes for any town or township, which may not have been incorporated under any law relating to Municipal Corporations at the time of such reservation as aforesaid, or which may not be so incorporated at the time of the passing of this Act, such reservation shall nevertheless be valid, and all such lands may be vested in the governing body of any such town or township, whenever such town or township shall be incorporated as aforesaid; but nothing in this section contained shall interfere with or affect the exercise of the powers vested in the Superintendent and Provincial Council of the province where such land is under and by virtue of “The Public Reserves Act, 1854,” or any Act amending the same.

**4 Reserves not to be made outside limits of municipality or district. Limit as to extent.**

Nothing herein contained shall authorize the making of reserves for the use benefit or endowment of any municipality outside the limits of such municipality, nor for any Highway or Road Board outside the limits of such Highway or Road Board: Provided that the total amount of reserves made for the use or benefit or endowment of any Municipality, Highway or Road Board, shall not exceed five hundred acres in extent.