

**Reprint  
as at 10 December 1976**



**Reserves and Other Lands Disposal  
Act 1965**

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**This Act is administered by Land Information New Zealand.**

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**An Act to provide for the sale, reservation, and other disposition of certain reserves, Crown lands, endowments, and other lands, to validate certain transactions, and to make provision in respect of certain other matters**

**1 Short Title**

This Act may be cited as the Reserves and Other Lands Disposal Act 1965.

**2 Changing the purpose of a reserve vested in the Corporation of the Borough of Queenstown**

Whereas by the Queenstown Athenaeum Act 1889 the land described in subsection (4) of this section was vested in the Corporation of the Borough of Queenstown (in this section referred to as the **Corporation**) in trust as a reserve for an athenaeum and free library for the Town of Queenstown:

And whereas the existing building on the said land is used for a library and reading room:

And whereas the Corporation desires to erect a new building containing a library and municipal offices on the said land:

And whereas it is expedient to change the purpose for which the land is held:

Be it therefore enacted as follows:

- (1) The land described in subsection (4) is hereby declared to be a public reserve held by the Corporation in trust for library pur-

poses and as a site for municipal buildings, subject to the provisions of the Reserves and Domains Act 1953, but otherwise freed and discharged from all trusts, reservations, and restrictions affecting the same immediately before the passing of this Act.

- (2) The Queenstown Athenaeum Act 1889 is hereby repealed.
- (3) The District Land Registrar for the Otago Land Registration District is hereby authorised and directed to make such entries in the land register and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

All that area in the Otago Land District containing 23 perches, more or less, being Section 7, Block XXXI, Town of Queenstown, and being all the land comprised and described in certificate of title, Volume 72, folio 294, Otago Registry.

### **3 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 desirable that it should be declared 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 said land is hereby declared to be Crown land subject to the Land Act 1948.
- (2) The land to which this section relates is particularly described as follows:

Firstly all those areas in the North Auckland Land District being part Waipoua 2B 3D 1 Block, situated in Block VII, Waipoua Survey District, containing 4 perches and four-tenths of a perch, more or less; and also part Section 1, Block VI, Waipoua Survey District, containing 2 acres 1 rood 5 perches and five-tenths of a perch, more or less; and also part Section 1, Block VI, Waipoua Survey District, containing 20 acres 2 roods and 19 perches, more or less; and also part Section

2, Block VII, Waipoua Survey District, containing 1 rood 24 perches and eight-tenths of a perch, more or less; as more particularly shown on SO Plan 44627, lodged in the office of the Chief Surveyor at Auckland, and thereon edged red.

Secondly, all that area in the South Auckland Land District containing 12 acres 2 roods 2 perches, more or less, being part Section 1, Block V, Piako Survey District; as more particularly shown on SO Plan 42863, lodged in the office of the Chief Surveyor at Hamilton, and thereon edged red.

Thirdly, all those areas in the South Auckland Land District being Section 60, Block XII, Ohinemuri Survey District, containing 3 acres 2 roods and 6 perches, more or less; and also part Sections 61 and 65, Block XII, Ohinemuri Survey District, containing 106 acres 1 rood and 21 perches, more or less; as more particularly shown on SO Plans 39394 and 43134, lodged in the office of the Chief Surveyor at Hamilton, and thereon edged red.

Fourthly, all that area in the South Auckland Land District containing 59 acres 3 roods 22 perches, more or less, being part Allotment 676, Taupiri Parish, situated in Block VII, Hapuakohe Survey District; as more particularly shown on SO Plan 43124, lodged in the office of the Chief Surveyor at Hamilton, and thereon edged red.

Fifthly, all that area in the Taranaki Land District containing 1 acre 1 rood 22 perches and seven-tenths of a perch, more or less, being part Section 2, Block IX, Mapara Survey District; as more particularly shown on SO Plan 9766, lodged in the office of the Chief Surveyor at New Plymouth, and thereon edged red.

Sixthly, all that area in the Wellington Land District containing 2 acres 3 roods 30 perches and ninety-six one-hundredths of a perch, more or less, being Sections 10 and 12, and the balance of Section 11, Block VIII, Town of Waimarino, situated in Block XVI, Kaitieke Survey District (SO Plans 20901 and 16164).

Seventhly, all that area in the Nelson Land District containing 73 acres 3 roods, more or less, being Section 127, Block VI, Motueka Survey District (SO Plan 10374), but excluding

therefrom those portions of the said Section 127 already being Crown land subject to the Land Act 1948 at the commencement of this Act (closed road).

Eighthly, all that area in the Nelson Land District containing 22 acres and 35 perches, more or less, being part Section 24, Block VII, and part Section 38, Block XI, Tadmor Survey District; as more particularly shown on SO Plan 10564, lodged in the office of the Chief Surveyor at Nelson, and thereon edged red.

Ninthly, all that area in the Marlborough Land District containing 156 acres and 22 perches, more or less, being Sections 10 and 11, Block XVIII, Taylor Pass Survey District (SO Plan 4724).

Tenthly, all that area in the Westland Land District containing 829 acres and 20 perches, more or less, being part Reserves 1655 and 1688, situated in Block XI, Arnott Survey District; as more particularly shown on SO Plan 5247, lodged in the office of the Chief Surveyor at Hokitika, and thereon edged red.

Eleventhly, all that area in the Westland Land District containing 26 acres and 20 perches, more or less, being part Reserve 1689, situated in Block XII, Okuru Survey District; as more particularly shown on SO Plan 5246, lodged in the office of the Chief Surveyor at Hokitika, and thereon edged red.

Twelfthly, all those areas in the Canterbury Land District being parts Reserve 3286, situated in Block XV, Bealey Survey District, and Block III, Harper Survey District, containing 480 acres, more or less; and also part Reserve 3287, situated in Block IV, Harper Survey District, containing 220 acres, more or less; as more particularly shown on the plan marked L and S 8/8/36, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

Thirteenthly, all that area in the Southland Land District containing 308 acres, more or less, being part Lots 4 and 5, being part Section 132, Block III, Forest Hill Hundred, and part Section 5, Block VII, Lindhurst Hundred; as more particularly shown on SO Plan 7399, lodged in the office of the Chief Surveyor at Invercargill, and thereon edged red.

#### **4 Vesting certain land in the Public Trustee**

Whereas the land described in subsection (4) is vested in Her Majesty the Queen:

And whereas the said land was acquired over a period of years under various Public Works Acts for the purpose of providing office premises for the Public Trustee and was paid for with money provided from the reserve funds of the Public Trust Office:

And whereas it is desirable and expedient that the said land be vested in the Public Trustee:

And whereas the party wall easement affecting the land secondly described in subsection (4) and created by transfer numbered 68504 (Wellington District Land Registry) is now redundant and it is desirable that it should be extinguished:

Be it therefore enacted as follows:

- (1) The land (together with, and subject to, all easements and other restrictions) described in subsection (4) is hereby vested in the Public Trustee for an estate in fee simple.
- (2) The party wall easement granted or reserved in the aforesaid transfer numbered 68504 and affecting the land secondly described in subsection (4) is hereby extinguished.
- (3) The District Land Registrars for the Wellington, Hawke's Bay, and North Auckland Land Registration Districts are hereby authorised and directed to make such entries in their respective land registers and to do all such other things as may be necessary to give effect to the provisions of this section.
- (4) The land to which this section relates is particularly described as follows:

Firstly, all that area in the Wellington Land District containing 9 perches and four-tenths of a perch, more or less, being part Section 2, Block VI, Thorndon Reclamation (City of Wellington), and being all the land comprised and described in certificates of title, Volume 172, folio 134, and Volume 197, folio 294, and Proclamation numbered 2774, Wellington Registry.

Secondly, all that area in the Wellington Land District containing 9 perches and six-tenths of a perch, more or less, being part Section 2, Block VI, Thorndon Reclamation (City of Wellington), and being all the land comprised and described

in certificate of title, Volume 172, folio 135, and Proclamation numbered 2575, Wellington Registry together with, and subject to, the party wall easements created by transfer numbered 56851 and subject to the party wall easement created by transfer numbered 68504.

Thirdly, all that area in the Wellington Land District containing 26 perches and sixty-six one-hundredths of a perch, more or less, being Lot 1, Deposited Plan numbered 263, being part Section 658, Town of Palmerston North (City of Palmerston North), and being all the land comprised and described in certificate of title, Volume 31, folio 147, and Proclamation numbered 1122, Wellington Registry, together with, and subject to, the easements of right of way created by transfer numbered 154907.

Fourthly, all that area in the Hawke's Bay Land District containing 18 perches, more or less, being part Town Section 163, Napier (City of Napier), and being all the land comprised and described in certificate of title, HB Volume 14, folio 262, Hawke's Bay Registry, subject to the width and alignment of the adjoining streets contained in Order in Council numbered 3160 and Hawke's Bay Adjustment Court Order numbered 3255.

Fifthly, all that area in the North Auckland Land District containing 1 perch and six-tenths of a perch, more or less, being Lot 2, Deposited Plan numbered 16453, being part Allotment 1, Whangarei Parish (City of Whangarei), and being all the land comprised and described in certificate of title, Volume 373, folio 84, North Auckland Registry, together with the easement of right of way over Lot 1, Deposited Plan numbered 16453, created by transfer numbered 166701 and subject to the easement of right of way created by transfer numbered 166764.

Sixthly, all that area in the North Auckland Land District containing 30 perches and four-tenths of a perch, more or less, being part Allotment 1, Whangarei Parish and Lot 3, Deposited Plan numbered 16453, being part Allotment 1, Whangarei Parish (City of Whangarei), and being all the land comprised and described in certificate of title, Volume 373, folio 85, North Auckland Registry, excepting such mines,

coal, or other minerals whatsoever under the said land as are excepted by section 19 of the Public Works Act 1928; together with the easement of right of way over Lot 1, Deposited Plan numbered 16453 created by transfer numbered 166701, and subject to an easement of right of way over Lot 3, Deposited Plan numbered 16453, created by transfer numbered 166764.

**5 Validating an agreement between the Corporation of the City of Lower Hutt and the Hutt Park Committee**

Whereas the land described in subsection (3) is vested in the Hutt Park Committee, a body corporate constituted by the Hutt Park Act 1907 (in this section referred to as the **Committee**):

And whereas the land is no longer required by the Committee:

And whereas the Committee has entered into a deed dated 14 September 1965, with the Mayor, Councillors, and Citizens of the City of Lower Hutt (in this section referred to as the **Corporation**) to provide for the transfer of the said land to the Corporation:

And whereas a copy of the aforesaid deed is deposited at the Head Office of the Department of Lands and Survey at Wellington, as Wellington Deed numbered 1755:

And whereas it is expedient that this deed be authorised and validated:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, or any rule of law, the Corporation and the Committee shall be deemed to have been at all times authorised and empowered to enter into the said Wellington Deed numbered 1755 which shall be binding on the parties thereto and shall for all purposes without further authority than this section be valid and effective according to its tenor.
- (2) The District Land Registrar for the Land Registration District of Wellington is hereby authorised and directed to deposit such plans, to accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this section and to the provisions of the said Wellington Deed numbered 1755.

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

Firstly, all that area in the Wellington Land District containing 12 perches and eight-tenths of a perch, more or less, being Sub-division 3, of Sections 11 and 12, Block LI, Hutt Valley Settlement (City of Lower Hutt), being all the land comprised and described in certificate of title, Volume 524, folio 25, Wellington Registry; as more particularly shown on the plan marked L and S 1/687, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red.

Secondly, all those areas in the Wellington Land District containing together 2 roods 28 perches and seven-tenths of a perch, more or less, being part Lot 1, Deposited Plan numbered 25573 and parts Lots 1 and 2, Deposited Plan numbered 25574, being parts of the bed of the Waiwhetu Stream (City of Lower Hutt), and being part of the land comprised and described in certificate of title, Volume D1, folio 902, Wellington Registry; as more particularly shown on the plan marked L and S 1/687A, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red.

**6 Adding land to Queenstown Domain and authorising the Queenstown Domain Board and Minister of Lands to provide for the establishment and operation of an ice skating rink and associated facilities thereon**

Whereas the land described in subsection (8) is part of a public reserve which was vested in the Crown for public purposes by section 2 of the Queenstown Reserves Act 1905:

And whereas by Order in Council made on 7 January 1907, and published in the *Gazette* of the tenth day of that month at page 26, the control of the reserve was vested in the Minister charged with the administration of the Tourist and Health Resorts Control Act 1908, and it was declared that the said land should be administered under that Act:

And whereas the Minister of Lands by notice in the *Gazette* of 9 August 1962, at page 1297, changed the purpose of the reserve from a reserve for public purposes to a reserve for recreation purposes:

And whereas it is desired that the said land should become part of the Queenstown Domain, a public domain vested in the Crown and controlled by the Queenstown Borough Council acting in its capacity as the Queenstown Domain Board (in this section referred to as the **Board**):

And whereas the Board desires that the land secondly described in subsection (8) be leased to a person who will construct an ice skating rink and associated facilities thereon:

And whereas the Board wishes to make a loan to the lessee to facilitate the development of the land for the purposes aforesaid:

And whereas the Board wishes to establish a special account for the purpose of providing a fund for the development and improvement of the land described in subsection (8) and desires to provide for the payment into that account of the rent payable under the lease and of other money that may from time to time be received by it from other sources:

And whereas it is desirable and expedient that provision should be made accordingly:

Be it therefore enacted as follows:

- (1) The land described in subsection (8) is hereby declared to be no longer subject to the Tourist and Health Resorts Control Act 1908 or to the control of the Minister in Charge of Tourism.
- (2) The land described in subsection (8) is hereby declared to be a public domain (forming part of the Queenstown Domain) under the control of the Board, subject to Part 3 of the Reserves and Domains Act 1953.
- (3) With the prior consent of the Board, the Minister of Lands may, by private treaty or otherwise and on such terms and conditions as may be agreed, grant a lease of the land secondly described in subsection (8) or of any part thereof for a term not exceeding 33 years to a lessee who shall undertake to establish and operate an ice skating rink and associated facilities on that land.
- (4) The Minister of Lands may grant such easements over any part of the land firstly described in subsection (8) as may from time to time be required.
- (5) With the approval of the Minister in Charge of Tourism, the Board may lend to any lessee under a lease granted pursuant to

subsection (3), on such terms and conditions as may be agreed, a sum not exceeding 5,000 pounds for the purpose of facilitating the construction by the lessee of an ice skating rink and associated facilities on the land secondly described in subsection (8).

- (6) The money received as rent under any lease granted pursuant to subsection (3) shall be paid, and any other money received by the Board from other sources may be paid, into a special account to be kept by the Board, and the Board may, with the approval of the Minister in Charge of Tourism, expend the money held to the credit of the special account on—
- (a) the further development of the ice skating rink; and
  - (b) the provision of other amenities on the land described in subsection (8).
- (7) The District Land Registrar for the Otago Land Registration District is hereby authorised and directed to make such entries in the land register and to do all such other things as may be necessary to give effect to the provisions of this section.
- (8) The land to which this section relates is more particularly described as follows:

Firstly, all that area in the Otago Land District containing 1 acre 1 rood 24 perches and six-tenths of a perch, more or less, being Section 4, Block LI, Town of Queenstown (SO Plan 13716).

Secondly, all that area in the Otago Land District containing 3 roods 24 perches and eight-tenths of a perch, more or less, being Section 5, Block LI, Town of Queenstown (SO Plan 13716).

**7 Declaring certain land to be vested in the Corporation of the Borough of Petone for recreation purposes**

Whereas by section 5 of the Petone Borough Council Empowering Act 1926, certain land, being part of the beach at Petone, was vested in the Corporation of the Borough of Petone (in this section referred to as the **Corporation**) in fee simple as a reserve for the purposes of a public promenade and recreation area:

And whereas an area of 7 acres and 3 roods, more or less, has formed as an accretion to the aforesaid land and a small portion of the aforesaid land has been lost through erosion:

And whereas the Corporation desires that the balance of the said land, together with the accretion thereto, be vested in it for recreation purposes, subject to the Reserves and Domains Act 1953:

And whereas the Corporation desires the removal of certain restrictions imposed by the said section 5 relating to the use of the said land:

Be it therefore enacted as follows:

- (1) Section 5 of the Petone Borough Council Empowering Act 1926 is hereby amended—
  - (a) by omitting from subsection (1) the words “As from the commencement of this Act the piece of land known as and comprising Section 23, Block XIII, Belmont Survey District, and also all that piece of land which is situate between highwater mark and the southern boundary of the public road in the Borough of Petone known as the Esplanade, and is bounded on the east by part of Section 23, Block XIII, Belmont Survey District, and on the west by the western boundary of Section 8, Hutt District, shall vest in fee simple in the Corporation as a reserve for the purposes of a public promenade and recreation area,” and substituting the words “Those parcels of land situate in the Wellington Land District containing together 15 acres 3 roods and 17 perches, more or less, being Sections 25, 26, and the part Section 23, Block XIII, Belmont Survey District as more particularly shown on SO Plan 26274 lodged in the office of the Chief Surveyor at Wellington, and thereon edged red, are hereby declared to be vested in the Corporation, for an estate in fee simple, as a public reserve for recreation purposes, subject to the provisions of the Reserves and Domains Act 1953,”:
  - (b) by omitting from subsection (1) the words “sections eight to twelve (inclusive)”, and substituting the expression “section 12”.

- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed, on completion of such surveys as he may require, to deposit such plans, accept such documents for registration, and do all such other things as may be necessary to give effect to the provisions of this section, and shall, on application being made in that behalf and on receipt of such fees as may be appropriate, issue to the Corporation a certificate of title for the land described in section 5(1) of the Petone Borough Council Empowering Act 1926 (as amended by subsection (1) of this section).

**8 Authorising the grant of certain land and harbour works to Bay of Plenty Harbour Board**

Whereas the Bay of Plenty Harbour Board (in this section referred to as the **Board**) has control of the Port of Tauranga:

And whereas, pursuant to section 31 of the Finance Act (No 3) 1944, Her Majesty the Queen and the Board, on 4 November 1953, executed a deed which provided for the Ministry of Works to construct a deepwater berthage and other harbour works at the port of Mount Maunganui:

And whereas various other deeds have since been executed in that behalf:

And whereas it was further agreed that on the termination of the period for establishing the works which expired with 30 June 1965, an account should be prepared setting out the price to be paid to the Minister of Works (in this section referred to as the **Minister**) by the Board for the construction of the wharves and other harbour works and for the land described in subsection (6):

And whereas an account is being prepared:

And whereas, after the amount to be paid by the Board has been agreed and settled, it is desired to give effect to the deed and to provide for the vesting of the aforesaid land in the Board for harbour purposes:

And whereas it is further desired to make provision for the vesting of that portion of the bed of Tauranga Harbour (described in subsection (7)) which is being reclaimed from the

sea and on which the aforesaid wharves have been or are being constructed:

Be it therefore enacted as follows:

- (1) When the Minister and the Board have finally settled the cost of the aforesaid harbour works, the purchase price to be paid for the land described in subsection (6), and the terms of payment, the Commissioner of Crown Lands and Chief Surveyor for the South Auckland Land District shall, on being notified by the Minister and the Board that agreement has been reached on the foregoing matters, issue under subsection (3) of section 116 of the Land Act 1948 a certificate in the name of the Board for the said land which shall be held subject to the provisions of the Harbours Act 1950, and the Board shall be liable to pay the purchase price, together with interest thereon, for the said land as provided in the agreement between the Minister and the Board.
- (2) On completion of the reclamation of, or the erection of wharves on, the land described in subsection (7) to the satisfaction of the Minister of Lands and the Minister of Works, the Commissioner of Crown lands and Chief Surveyor for the South Auckland Land District shall, notwithstanding the provisions of the Tauranga Foreshore Vesting and Endowment Act 1915, on being notified of the completion of the works issue under subsection (3) of section 116 of the Land Act 1948 a certificate in the name of the Board for the said land which shall be held subject to the provisions of the Harbours Act 1950.
- (3) *[Repealed]*
- (4) Her Majesty the Queen may reserve from any disposition of the land affected by this section all such easements as may be required for her own use, or for the use of any local authority.
- (5) This section shall be deemed to be a special Act for the purposes of the Harbours Act 1950.
- (6) The land to which subsection (1) relates is particularly described as follows:

All that area in the South Auckland Land District containing 44 acres 1 rood 29 perches and five-tenths of a perch, more

or less, being Sections 23, 25, 26, 27, 49, 57, 63, 65, and 74, Block VII, Tauranga Survey District (SO Plan 43068).

- (7) The land to which subsection (2) relates is particularly described as follows:

All that portion of the bed of Tauranga Harbour containing approximately 71 acres, situated in Block VII, Tauranga Survey District; as more particularly shown on SO Plan 43161, lodged in the office of the Chief Surveyor at Hamilton, and thereon edged green.

Section 8 heading: amended, on 24 August 1970, pursuant to section 2(5) of the Bay of Plenty Harbour Board Act 1970 (1970 No 5 (L)).

Section 8: amended, on 10 December 1976, by section 10(2)(a) of the Reserves and Other Lands Disposal Act 1976 (1976 No 161).

Section 8: amended, on 24 August 1970, pursuant to section 2(5) of the Bay of Plenty Harbour Board Act 1970 (1970 No 5 (L)).

Section 8(1): amended, on 10 December 1976, by section 10(2)(b) of the Reserves and Other Lands Disposal Act 1976 (1976 No 161).

Section 8(2): amended, on 10 December 1976, by section 10(2)(b) of the Reserves and Other Lands Disposal Act 1976 (1976 No 161).

Section 8(3): repealed, on 10 December 1976, by section 10(1) of the Reserves and Other Lands Disposal Act 1976 (1976 No 161).

## **9 Extinguishing the rights of Maoris to certain land and vesting parts in Her Majesty the Queen and parts in the Corporation of the County of Manawatu**

Whereas section 21 of the Reserves and Other Lands Disposal Act 1956 abolished the Foxton Harbour Board (in this section referred to as the **Board**) and provided for the disposition of the Board's endowment land and other assets:

And whereas by subsection (4) of the said section certain endowment land was vested in the Chairman, Councillors, and Inhabitants of the County of Manawatu (in this section referred to as the **Corporation**) subject to the provisions of that section:

And whereas part of the endowment land was vested in the Corporation subject to certain leases granted by the Board:

And whereas the Maori owners of the Papangaio J Block (in this section referred to as the **owners**) had for many years contended that some of those leases had been granted over land

that was part of Papangaio J Block and over land that was an accretion to that Block:

And whereas subsection (6) of the said section provided that if the Maori Land Court found that any portion of the endowment area was an accretion to Papangaio J Block over which title should be granted to the owners of that block that portion should thereupon cease to be subject to the provisions of the section and the Minister of Lands was empowered to vary the terms on which the endowment was vested in the Corporation:

And whereas the Maori Land Court investigated the ownership of the disputed land and, upon appeal to the Maori Appellate Court, it was found that the land firstly and secondly described in subsection (9) was an accretion to Papangaio J Block over which title should be granted to the owners of that block:

And whereas it has been established that some of the leases granted by the Board include land that is part of the Papangaio J Block:

And whereas it is desirable that the land firstly and secondly described in subsection (9) be acquired from the owners to preserve the status and leases of the endowment:

And whereas it is also desirable that the Crown should acquire the interests of the owners in the land thirdly, fourthly, and fifthly described in subsection (9):

And whereas it is also considered desirable that the Crown should compensate the owners for any adverse occupation under the aforesaid leases or otherwise of any part or parts of Papangaio J Block or of the land firstly and secondly described in subsection (9):

And whereas the owners, by their legal representatives, have agreed to accept the sum of 20,000 pounds in full and final settlement of all their rights and claims whatsoever in respect of the land described in subsection (9):

Be it therefore enacted as follows:

- (1) All rights and claims by the owners of Papangaio J Block in respect of title to, trespass over, and adverse occupation of, the land described in subsection (9) are hereby extinguished.
- (2) The sum of 20,000 pounds, which has been appropriated by Parliament for the purpose of compensating the aforesaid

owners shall be paid to the Maori Trustee who, without further authority than this subsection and subject to the provisions of subsection (3), shall distribute the sum without deduction to the persons entitled thereto in full satisfaction of all claims and rights whatsoever in respect of the land described in subsection (9).

- (3) The Maori Land Court may, on the application of any person interested made not later than 6 months after the date of the passing of this Act, order payment from the compensation sum to any owner or other person of such sum as the court deems reasonable in reimbursement of expenses incurred or loss of wages suffered incidental to the investigation of the ownership of the endowment area.
- (4) The land firstly and secondly described in subsection (9) is hereby declared to be vested in the Corporation as an endowment subject to the provisions of section 21 of the Reserves and Other Lands Disposal Act 1956 and subject also to all leases, liens, encumbrances, easements, and other restrictions heretofore affecting the land.
- (5) The land thirdly, fourthly, and fifthly described in subsection (9) is hereby vested in Her Majesty the Queen subject to the Land Act 1948 and subject to any leases granted by the Foxton Harbour Board pursuant to the Foxton Harbour Board Act 1908 in respect of the land thirdly described.
- (6) Notwithstanding anything to the contrary in any Act or rule of law, all leases granted before the passing of this Act by the Corporation under the powers vested in it, and by the Foxton Harbour Board pursuant to the Foxton Harbour Board Act 1908, over the land firstly, secondly, and thirdly described in subsection (9) shall be deemed to be, and to have always been, valid and shall have full force and effect according to their tenor.
- (7) The District Land Registrar for the Wellington Land Registration District is hereby authorised to make such entries in the land register as may be necessary to give effect to the provisions of this section and, on application being made to him in that behalf and on payment of such fees as are appropriate, to issue a certificate of title to the Corporation as registered proprietor of the land firstly and secondly described in subsection (9).

- (8) The Registrar of the Ikaroa District of the Maori Land Court at Palmerston North is hereby authorised to make such entries in his records as may be necessary to give effect to the provisions of this section.
- (9) The land to which this section relates is particularly described as follows:
- Firstly, all that area in the Wellington Land District containing 24 acres and 10 perches, more or less, being part Section 6, Block I, Moutere Survey District; as more particularly shown on SO Plan 26064, lodged in the office of the Chief Surveyor at Wellington, and thereon coloured sepia.
- Secondly, all that area in the Wellington Land District containing 1 acre 3 roods, more or less, being part Section 7, Block I, Moutere Survey District, and being part of the land comprised and described in certificate of title, Volume 662, folio 42, Wellington Registry; as more particularly shown on SO Plan 26064, lodged in the office of the Chief Surveyor at Wellington, and thereon coloured blue.
- Thirdly, all that area in the Wellington Land District containing 46 acres 1 rood, more or less, being an accretion to Papangaio J Block, situated in Block II, Moutere Survey District; as more particularly shown on SO Plan 26064, lodged in the office of the Chief Surveyor at Wellington, and thereon coloured orange.
- Fourthly, all that area in the Wellington Land District containing 39 acres and 10 perches, more or less, being part Papangaio J Block, situated in Blocks I and II, Moutere Survey District; as more particularly shown on SO Plan 26064, lodged in the office of the Chief Surveyor at Wellington, and thereon coloured sepia.
- Fifthly, all that area in the Wellington Land District containing 61 acres 1 rood 20 perches, more or less, being part Papangaio J Block, situated in Block II, Moutere Survey District; as more particularly shown on SO Plan 26064, lodged in the office of the Chief Surveyor at Wellington, and thereon coloured orange.
- (10) Section 21 of the Reserves and Other Lands Disposal Act 1956 is hereby amended by repealing subsection (6).

**10 Closing the Methodist burial ground at Pakuranga and authorising the trustees to transfer the land to the Corporation of the City of Manukau to be held as a historic reserve**

Whereas the land described in subsection (4) is vested in certain trustees (in this section referred to as the **trustees**) under the Methodist Model Deed of New Zealand 1887:

And whereas the said land is the site of a Methodist church and burial ground:

And whereas the church is no longer used and the trustees desire to close the burial ground and transfer the said land to the Mayor, Councillors, and Citizens of the City of Manukau (in this section referred to as the **Corporation**) to be held as a historic reserve:

And whereas the Corporation is prepared to accept the land as a historic reserve and the trustees' proposals for the preservation of the land and church:

And whereas doubts have arisen as to whether the trustees have power to transfer the land to the Corporation:

And whereas it is desirable that the burial ground be closed and that provision be made authorising the transfer of land to the Corporation to be held as a historic reserve subject to the Reserves and Domains Act 1953:

Be it therefore enacted as follows:

- (1) The burial ground on the land described in subsection (4) shall, as from the date of the passing of this Act, be deemed to be closed in accordance with the provisions of the Burial and Cremation Act 1964 and, notwithstanding anything in sections 41 and 42 of that Act, no further burials shall take place therein.
- (2) The trustees are hereby empowered and authorised to transfer the land described in subsection (4) to the Corporation, without payment or compensation, to be held upon trust as a historic reserve, subject to the Reserves and Domains Act 1953, but otherwise freed and discharged from all trusts affecting the land.
- (3) The Corporation is hereby empowered, by deed, to enter into such agreements and covenants with the trustees as may be

necessary for the preservation of the burial ground and the recording of the history of the site.

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

All that area in the North Auckland Land District containing 30 perches and one-tenth of a perch, more or less, being part Allotment 21, Pakuranga Parish, situated in Block III, Otahuhu Survey District, and being all the land comprised and described in certificate of title, Volume 521, folio 73 (limited as to parcels), North Auckland Registry subject to Caveat X11207.

#### **11 Vesting part of the Wellington Harbour Foreshore in the Wellington Harbour Board**

Whereas by the Wellington Harbour Board and Corporation Land Act 1880 portions of the foreshore of Wellington Harbour (then known as Port Nicholson) were vested in the Wellington Harbour Board (in this section referred to as the **Board**):

And whereas one portion so vested in the Board extended from the Patent Slip Company's Grant in Evans Bay to the Magazine Reserve at Point Jerningham:

And whereas another portion so vested extended from the Magazine Reserve to the Te Aro Foreshore Grant:

And whereas the portion of the foreshore fronting the Magazine Reserve was not vested in the Board:

And whereas for continuity of control it is now desired to vest that portion in the Board:

Be it therefore enacted as follows:

- (1) As from the date of the passing of this Act those portions of the foreshore in Port Nicholson vested in the Board by the Wellington Harbour Board and Corporation Land Act 1880 shall be deemed to include the portion fronting the Magazine Reserve (also known as Military Reserve) at Point Jerningham, so that the Board shall have vested in it all the foreshore from the Patent Slip Company's Grant to the Te Aro Foreshore Grant (and all that foreshore as it existed immediately before the passing of this Act is generally shown in red on the plan

numbered MD 12020 deposited in the office of the Marine Department at Wellington).

- (2) The District Land Registrar for the Wellington Land Registration District is hereby authorised to make such entries in his records and to do all such other things as may be necessary to give effect to the provisions of this section.
  - (3) This section shall be deemed to be a special Act for the purposes of section 150 of the Harbours Act 1950.
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## Contents

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## Notes

### 1 *General*

This is a reprint of the Reserves and Other Lands Disposal Act 1965. The reprint incorporates all the amendments to the Act as at 10 December 1976, 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)*

Reserves and Other Lands Disposal Act 1976 (1976 No 161): section 10  
Bay of Plenty Harbour Board Act 1970 (1970 No 5 (L)): section 2(5)

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