

RESERVES AND OTHER LANDS DISPOSAL BILL

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Clause 2 closes the Chaslands Cemetery in Otago, and declares the balance of the land comprising the cemetery to be part of the Tautuku Bay Scenic Reserve administered by the South-east Otago Scenic Board. The cemetery was formerly vested in trustees, the last of whom died in 1963. In 1969 it was subdivided, and two portions that had never been used for cemetery purposes were disposed of. One portion was taken for the purposes of a State highway and the other was declared to be part of the Tautuku Bay Scenic Reserve administered by the South-east Otago Scenic Board. No burials have taken place for many years in the remaining part of the cemetery, and it is therefore also being disposed of.

Clause 3: The effect of the clause is to cancel the reservation of a portion of the Arthur Pass National Park and to declare that portion to be Crown land within the meaning of the Land Act 1948. The land concerned was inadvertently omitted from the Ninth Schedule to the National Parks Act 1952. Under section 61 of that Act, the reservation of adjacent portions of the Park specified in that Schedule was cancelled, and they were declared to be Crown land. This clause will have effect from the date of commencement of the National Parks Act.

Clause 4 validates—

- (a) The cancellation by the Minister of Lands in 1959, under the Reserves and Domains Act 1953, of the vesting in the Queenstown Borough Council of a part of the Queenstown commonage, and the changing of the purpose of that part to a reserve for a site for a Girl Guides' Camp;
- (b) The cancellation by the Minister in 1965, under that Act, of the vesting in the Borough Council of another part of the commonage, and the changing of the purpose of that part to a reserve for a site for a Youth Hostel and holiday camp.

The Queenstown commonage is subject to the provisions of the Queenstown Commonage Reserve Management Act 1876. That Act vested the commonage in the Queenstown Borough Council for certain purposes, and there is no power in the Reserves and Domains Act 1953 to change those purposes.

No. 115—1

Clause 5: Section 17 of the Reserves and Other Lands Disposal Act 1955 empowers the Minister of Lands to grant licences to occupy sites for boat-sheds and other buildings in parts of public reserves adjacent to the foreshore in the Marlborough Sounds and Croisilles - French Pass area. *Clause 5* provides that revenue received from the granting of such licences shall be applied in the same manner as is provided in section 31 of the Reserves and Domains Act 1953 in respect of leases and licences under that Act. If no administering body has been appointed for a particular reserve, the revenue received is to be paid into the Public Account and applied as the Minister may direct in respect of domains, recreation reserves, or scenic reserves. If there is an administering body, that body is to hold and apply the revenue received for the purposes of the Reserves and Domains Act.

Clause 6 provides for the vesting in the Canterbury Provincial Buildings Board of the balance of the land still held by the Crown on which the Canterbury Provincial Council buildings are situated. The land to be so vested will be held by the Board in trust and maintained as a memorial of the foundation of the Province of Canterbury, in the same way as the parts of the buildings already vested in the Board are held. This section will have retrospective effect from 1 January 1971.

Clause 7 empowers the Auckland Harbour Board to transfer by way of gift to the Auckland Regional Authority as a scenic park for the people of Auckland certain land at present held by the Board as an endowment. The Board wishes to do this to mark the occasion of its centennial which occurs this year. The land to be transferred will be added to and form part of the Auckland Centennial Memorial Park. *Clause 7* also enables the Board to lease certain other land to the Authority at a peppercorn rental for a term of 50 years for the purpose of a reserve. At present the Board is prevented from granting such a lease because of the Public Bodies Leases Act 1969.

Clause 8 declares certain land which is subject to the Forest Acts 1949 to be Crown land subject to the Land Act 1948.

The areas concerned comprise various parcels of permanent State forest in the North Auckland, South Auckland, Wellington, Nelson, Canterbury, and Southland Land Districts.

The land first described is part of the Waimatenui State Forest, situated on a bend in the Mangakahia River 15 miles south of Kaikohe. The Working Plan reserves this area for local river protection but it does not have any influence on the state of the Mangakahia River. The land is to be released, either for disposal to local farmers or for reservation for scenic purposes. Its future use has yet to be decided.

The land secondly described is part of State Forest No. 34 and is situated 15 miles from Te Mata Bay. The land is not required for forestry purposes but is suitable for development for farming. It will be sold to an adjoining farmer.

The land thirdly described is part of the Tairua State Forest and is situated on the Whangamata-Whitianga main highway 5 miles north of Whangamata. The area is no longer required for forestry purposes and is to be sold to an adjoining farmer.

The land fourthly described is part of the Hurakia State Forest and is situated 13 miles north-west of Waimiha. The land is not required for forestry purposes and is to be sold to an adjoining farmer.

The land fifthly described is part of the Rotoehu State Forest No. 88 and is situated 20 miles west of Whakatane. The land is not required for forestry purposes and will be added to the adjoining Pikowai Farm Settlement.

The land sixthly described is situated in Waimarino Township. It is no longer required for forestry purposes and is to be released. Its future use has yet to be decided.

The land seventhly described is part of the Golden Downs State Forest and is to be released for disposal to an adjoining farmer in exchange for an easement by way of right-of-way to provide access to Long Gully in Golden Downs State Forest.

The land eighthly described is situated 5 miles south of Karamea in the Kongahu Swamp. The land is not required for forestry purposes. Part will be set aside as a Wildlife Management Reserve and the balance will be disposed of to adjoining owners.

The land ninthly described is part of the Golden Downs State Forest and is to be released for disposal to an adjoining owner in exchange for part of his leasehold land which will be declared to be State forest.

The land tenthly described is part of the Paparoa State Forest and is situated 17 miles south-west of Reefton. The land is not required for forestry purposes and will be sold to adjoining farmers.

The land eleventhly described is part of the Otira-kopara State Forest and is situated 20 miles south-east of Brunner. The land is of little value for forestry purposes and will be disposed of to adjoining farmers.

The land twelfthly described is part of the Pudding Hill State Forest and is situated in the upper reaches of the north branch of the Ashburton River, 10 miles north-west of Methven. The land comprises 5 small areas which are to be released to improve the boundary of the State forest.

The land thirteenthly described is part of the Hook State Forest and is situated 10 miles north of Waimate. The land is not suitable for forestry purposes and will be disposed of to an adjoining farmer.

The land fourteenthly described is part of the Takitimu State Forest and is situated 20 miles west of Mossburn. The land is to be released and added to adjoining pastoral leases.

Clause 9: In 1877 a tract of land 40 chains wide and 22 miles long, adjacent to the southern shore of Lake Sumner, was reserved for the purpose of a railway. In 1898 certain parts of that tract were purportedly set apart as State forests under the New Zealand State Forests Act 1885. Because of the earlier railway reservation, however, there was no power under the New Zealand State Forests Act to do so. The original reserve has never been used and is not required for the purposes of a railway. In order to validate the setting apart of the State forest lands, *clause 9* provides that the railway reservation shall be deemed to have been revoked the day before the lands concerned were set apart as State forests.

Clause 10 empowers the Dunedin Ocean Beach Domain Board, with the authorisation of the Minister of Lands, to exchange land. The clause applies to exchanges of land held by the Board under the Ocean Beach Public Domain Act 1892. Any land acquired by the Board will be held by it subject to the trusts created by that Act. The clause also vests in the Board a small area of Crown land adjoining the Domain.

Clause 11 revokes a notice published in 1966 by the Minister of Works under the Public Works Amendment Act 1948, whereby a public street through an unnamed domain in the Borough of Taupo was proclaimed to be closed.

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Hon. Mr MacIntyre

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

Title	
1. Short Title	6. Vesting in the Canterbury Provincial Buildings Board the balance of the land on which the Canterbury Provincial Council buildings are situated
2. Closing the Chaslans Cemetery and declaring the land to be a scenic reserve forming part of the Tautuku Bay Scenic Reserve	7. Empowering the Auckland Harbour Board to give and lease certain lands to the Auckland Regional Authority
3. Cancelling the reservation of portion of Arthur Pass National Park	8. Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948
4. Validating the cancellation of the vesting in the Queenstown Borough Council of parts of the Queenstown commonage, and the changing of the purposes of those parts	9. Revoking the reservation for the purpose of a railway of certain land in the Lake Sumner area
5. Applying section 31 of the Reserves and Domains Act 1953 in respect of the granting of licences to occupy boatsheds on public reserves in the Marlborough Sounds and Croisilles - French Pass area	10. Empowering the Dunedin Ocean Beach Domain Board to exchange land, and vesting certain Crown land in the Board
	11. Revoking a notice proclaiming a street in an unnamed domain in the Borough of Taupo to be closed

A BILL INTITULED

- An Act to provide for the vesting, leasing, and other disposition of certain reserves, Crown land, and other land, to validate and confirm certain notices and other transactions, and to make provision in respect of certain other matters relating to land**
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BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

- 10 1. **Short Title**—This Act may be cited as the Reserves and Other Lands Disposal Act 1971.

2. Closing the Chaslands Cemetery and declaring the land to be a scenic reserve forming part of the Tautuku Bay Scenic Reserve—Whereas the land first described in subsection (3) of this section was, by Warrant dated the 26th day of November 1898 and published in the *Gazette* of that year at page 1948, permanently reserved for the purposes of a public cemetery pursuant to section 236 of the Land Act 1892: And whereas certain persons were appointed to be the trustees of the cemetery, then known as the Heathfield Cemetery but now known as the Chaslands Cemetery, on the 12th day of August 1899 under section 6 of the Cemeteries Act 1882, and the land thereupon vested in accordance with section 8 of that Act in those trustees: And whereas in consequence of those trustees ceasing to hold office, certain other persons were from time to time appointed to be the trustees of the cemetery under section 4 of the Cemeteries Act 1908, and the land was from time to time vested in accordance with section 11 of that Act in the persons who were for the time being those trustees: And whereas the last surviving trustee of the cemetery died in 1963 and no further trustees have since been appointed: And whereas no persons are willing to be appointed to be the trustees of the cemetery: And whereas the land was in February 1969 resurveyed and subdivided into the respective parcels of lands secondly, thirdly, and fourthly described in subsection (3) of this section (the total area of those parcels being ascertained as the correct area of the land first described in that subsection): And whereas the lands secondly and thirdly described in subsection (3) of this section had never been used and were not required for cemetery purposes: And whereas the Minister of Lands, by notice dated the 17th day of June 1969 and published in the *Gazette* of that year at page 1130, pursuant to the Reserves and Domains Act 1953, revoked the reservation for cemetery purposes of the lands secondly and thirdly described in subsection (3) of this section: And whereas the Minister of Lands, by notice dated the 17th day of June 1969 and published in the *Gazette* of that year at page 1130, set apart as a reserve for scenic purposes pursuant to the Land Act 1948 the land secondly described in subsection (3) of this section, and pursuant to the Reserves and Domains Act 1953 declared that reserve to form part of the Tautuku Bay Scenic Reserve, to be administered as a scenic reserve by the South-east Otago Scenic Board appointed under the Reserves and Domains Act 1953 (in this section referred to as the Board):

And whereas there have been no burials for many years in the land fourthly described in subsection (3) of this section, being the land now comprising the Chaslands Cemetery: And whereas it is desired to close the cemetery: And whereas by virtue of section 43 of the Burial and Cremation Act 1964 the land fourthly described in subsection (3) of this section may not be sold or leased or otherwise disposed of or diverted to any other purpose: And whereas it is desired to set apart the land fourthly described in subsection (3) of this section as a reserve for scenic purposes to be part of the Tautuku Bay Scenic Reserve administered by the Board: Be it therefore enacted as follows:

(1) The cemetery on the land fourthly described in subsection (3) of this section shall, as from the passing of this Act, be deemed to be closed in accordance with the Burial and Cremation Act 1964 and, notwithstanding sections 41 and 42 of that Act, no further burials shall take place in that cemetery.

(2) Notwithstanding section 43 of the Burial and Cremation Act 1964 or any other enactment or rule of law, the land fourthly described in subsection (3) of this section is hereby declared to be set apart as a reserve for scenic purposes, and to be part of the Tautuku Bay Scenic Reserve to be administered by the Board subject to the Reserves and Domains Act 1953 but otherwise freed and discharged from all trusts, reservations, and restrictions affecting that land.

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

First, all that area of land in the Otago Land District, containing 9 acres and 36 perches, more or less, being Section 4, Block X, Tautuku Survey District (S.O. Plan 235M).

Secondly, all that area of land in the Otago Land District, containing 3 acres, 3 roods, and 32.2 perches, more or less, being Section 31 (formerly part of Section 4), Block X, Tautuku Survey District (S.O. Plan 16800).

Thirdly, all that area of land in the Otago Land District, containing 2 acres, 3 roods, and 30 perches, more or less, being Section 29 (formerly part of Section 4), Block X, Tautuku Survey District (S.O. Plan 16800).

Fourthly, all that area of land in the Otago Land District, containing 1 acre, 3 roods, and 30.8 perches, more or less, being section 30 (balance of section 4), Block X, Tautuku Survey District (S.O. Plan 16800).

3. Cancelling the reservation of portion of Arthur Pass National Park—Whereas by section 61 of the National Parks Act 1952 (in this section referred to as the principal Act) the reservation of the portion of the Arthur Pass National Park described in the Ninth Schedule to the principal Act was cancelled and such land was declared to be Crown land within the meaning of the Land Act 1948: And whereas it was intended that the reservation of certain other land comprising portion of that National Park be also cancelled and the land declared to be Crown land within the meaning of the Land Act 1948, but such other land was inadvertently omitted from the Ninth Schedule to the principal Act: And whereas it is desired that the reservation of such other land should be cancelled and the land declared to be Crown land as aforesaid: Be it therefore enacted as follows:

The Ninth Schedule to the principal Act is hereby amended, as from the passing of that Act—

- (a) By omitting from the first paragraph of that Schedule the expression “20.3 perches”, and substituting the expression “38.3 perches”:
- (b) By omitting from the seventh paragraph of that Schedule the words “1 acre 04.5 perches, more or less, being Town Sections 1A to 8A inclusive”, and substituting the words “1 acre 22.5 perches, more or less, being Town Sections 1A to 9A inclusive”.

4. Validating the cancellation of the vesting in the Queenstown Borough Council of parts of the Queenstown commonage, and the changing of the purposes of those parts—Whereas the Superintendent of the Province of Otago, by notice dated the 5th day of January 1870 and published in the *Otago Provincial Gazette* of that year at page 2, made and dedicated certain land in the Province of Otago as a reserve for the use of the inhabitants of the Town of Queenstown as a commonage: And whereas that commonage is vested in the Mayor, Councillors, and Citizens of the Borough of Queenstown (in this section referred to as the Corporation) subject to the Queenstown Commonage Reserve Management Act 1876: And whereas the lands first and secondly described in subsection (2) of this section are parts of that commonage: And whereas the Minister of Lands, by notice dated the 13th day of March 1959 and published in the *Gazette* of that year at page 360, purported pursuant to the Reserves and Domains

Act 1953 to cancel the vesting in the Corporation of the land first described in subsection (2) of this section, and to change the purpose of that land from a reserve for the purpose of a common for the use of the inhabitants of the Town of Queenstown to a reserve for a site for a Girl Guides' Camp: And whereas the Minister of Lands, by notice dated the 23rd day of February 1965 and published in the *Gazette* of that year at page 258, purported pursuant to the Reserves and Domains Act 1953 to cancel the vesting in the Corporation of the land secondly described in subsection (2) of this section, and to change the purpose of that land from a reserve for the purpose of a common as aforesaid to a reserve for a site for a Youth Hostel and holiday camp: And whereas the Minister of Lands has no power under the Reserves and Domains Act 1953 to cancel the vesting in the Corporation of either of the lands first and secondly described in subsection (2) of this section, or to change the purpose of either of those lands in the manner in which he so purported to do: And whereas it is desired that the Minister's actions be validated: Be it therefore enacted as follows:

(1) Notwithstanding the Queenstown Commonage Reserve Management Act 1876 or subsection (2) of section 11 of the Reserves and Domains Act 1953 or any other enactment or rule of law, the Minister of Lands shall be deemed to have been at all times empowered under the Reserves and Domains Act 1953 to—

- (a) Cancel the vesting in the Corporation of the land first and secondly described in subsection (2) of this section; and
- (b) Change the purpose of the land first described from a reserve for the purposes of a common for the use of the inhabitants of the Town of Queenstown to a reserve for a site for a Girl Guides' camp; and
- (c) Change the purpose of the land secondly described from a reserve for the purpose of a common for the use of the inhabitants of the Town of Queenstown to a reserve for a site for a Youth Hostel and holiday camp—

and the cancellation of the vesting in the Corporation of those lands and the changes of the purposes of those lands by the Minister as aforesaid shall for all purposes without further authority than this section be valid and effective according to their tenor.

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

First, all that area in the Otago Land District, Borough of Queenstown, containing 2 acres and 9.22 perches, more or less, being Section 95 (formerly part Section 19), Block XX, Shotover Survey District; as more particularly shown on S.O. Plan 12530 lodged in the office of the Chief Surveyor at Dunedin, and thereon edged red, and being part of the land comprised and described in certificate of title, Volume 109, folio 294, Otago Land Registry.

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Secondly, all that area in the Otago Land District, Borough of Queenstown, containing 2 roods, more or less, being Section 97 (formerly part Section 19), Block XX, Shotover Survey District; as more particularly shown on S.O. Plan 13646 lodged in the office of the Chief Surveyor at Dunedin, and thereon edged red, and being part of the land comprised and described in certificate of title, Volume 109, folio 294, Otago Land Registry.

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5. Applying section 31 of the Reserves and Domains Act 1953 in respect of the granting of licences to occupy boatsheds on public reserves in the Marlborough Sounds and Croisilles - French Pass area—Whereas section 17 of the Reserves and Other Lands Disposal Act 1955 empowers the Minister of Lands to declare parts of certain lands adjacent to the foreshore of the sea in the Marlborough Sounds and Croisilles - French Pass area as public reserves: And whereas subsection (4) of that section empowers the Minister to grant licences to occupy parts of any public reserve declared under that section as sites for boatsheds, sheds, or other buildings: And whereas it is desired to provide that all money received by way of rent in respect of any licence so granted by the Minister shall be applied in the same manner as is provided for in section 31 of the Reserves and Domains Act 1953 with regard to money obtained from the granting of a lease or a licence in respect of a reserve under that Act:

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Be it therefore enacted as follows:
Section 17 of the Reserves and Other Lands Disposal Act 1955 is hereby amended by adding to subsection (4) the following paragraph:

5 “(e) All money received by way of rent from the granting of any such licence shall be applied in the same manner as is provided for in section 31 of the Reserves and Domains Act 1953 with regard to money received by way of rent, royalty, or otherwise in respect of a dealing pursuant to section 27, section 28, or section 29 of that Act (other than a dealing pursuant to subsection (2) of section 21 of that Act).”

10 **6. Vesting in the Canterbury Provincial Buildings Board the balance of the land on which the Canterbury Provincial Council buildings are situated**—Whereas by the Canterbury Provincial Buildings Vesting Act 1928 (in this section referred to as the principal Act) certain land on which is situated
15 portion of the Canterbury Provincial Council buildings was vested for an estate in fee-simple in the Canterbury Provincial Buildings Board established by that Act, to be held in trust and maintained together with the portion of those buildings thereon as a memorial of the foundation of the
20 Province of Canterbury: And whereas it is now desired to vest in the Board for an estate in fee-simple certain other land adjacent thereto on which is situated the remaining portion of those buildings, to be held in trust for the same purposes as the land and portion of those buildings first mentioned,
25 with effect from the 1st day of January 1971: Be it therefore enacted as follows:

(1) This section shall be deemed to have come into force on the 1st day of January 1971.

30 (2) Section 7 of the principal Act (as amended by section 2 (1) of the Reserves and Other Lands Disposal Act 1937) is hereby further amended by omitting from subsection (1) the words “First and Second Schedules”, and substituting the words “First, Second, and Third Schedules”.

35 (3) The principal Act is hereby further amended by adding the following Schedule:

“THIRD SCHEDULE

ALL that area of land in the Canterbury Land District, containing 2 roods and 35.5 perches, more or less, being part Reserve 11 and part Stopped Road situated in Block XI, Christchurch Survey District; part of which land is comprised and described in the balance of Deeds Index C. 611; as more particularly shown on S.O. Plan 11711, lodged in the office of the Chief Surveyor at Christchurch, and thereon edged red.”

7. Empowering the Auckland Harbour Board to give and lease certain lands to the Auckland Regional Authority—
Whereas the lands first and secondly described in subsection (4) of this section are vested in the Auckland Harbour Board (in this section referred to as the Board) as an endowment: And whereas the year 1971 is the centennial of the constitution of the Board: And whereas the Board desires to mark the occasion by transferring those lands to the Auckland Regional Authority (in this section referred to as the Authority) by way of gift as a scenic park to be added to and form part of the Auckland Centennial Memorial Park for the use and enjoyment of the inhabitants of the Auckland region: And whereas the Board has no power to so transfer those lands: And whereas the Board on the 15th day of February 1971 agreed with the Authority to lease to the Authority the lands thirdly, fourthly, and fifthly described in subsection (4) of this section for the purposes of a reserve for a term of 50 years at a peppercorn rental on certain terms and conditions: And whereas that agreement does not comply with the provisions of the Public Bodies Leases Act 1969, which requires that a lease (other than a lease of farm land) either be sold by public auction or public tender, or offered only after calling of public applications in accordance with that Act, and also requires that a lease take effect in possession within 6 months after being granted, and also requires that a rack rent be reserved in a lease: And whereas it is desired to validate the agreement made between the Board and the Authority and to empower the Board to grant on lease and the Authority to take on lease the lands thirdly, fourthly, and fifthly described in subsection (4) of this section in accordance with that agreement: Be it therefore enacted as follows:

(1) Notwithstanding any other enactment or rule of law, the Board may transfer to the Authority by way of gift the fee-simple of the lands first and secondly described in subsection (4) of this section for the purposes referred to in subsection (2) of this section but otherwise freed and discharged from all trusts, reservations, and restrictions affecting those lands.

(2) The lands first and secondly described in subsection (4) of this section shall, on being transferred to the Authority, be additions to the Auckland Centennial Memorial Park for the purposes of subsection (4) of section 44 of the Auckland Regional Authority Act 1963, and shall form part of that Park to be held by the Authority in accordance with the said subsection (4) of section 44.

(3) Notwithstanding section 8, section 9, section 17, section 18, or section 19 of the Public Bodies Leases Act 1969 or any other enactment or rule of law, the agreement made on the 15th day of February 1971 between the Board and the Authority for the lease of the lands thirdly, fourthly, and fifthly described in subsection (4) of this section for a term of 50 years at a peppercorn rental and on the other terms and conditions contained in the agreement shall for all purposes without further authority than this section be valid and effective according to its tenor; and the Board may grant on lease to the Authority and the Authority may take on lease from the Board those lands, for the term and at the rental and subject to and in accordance with the other terms and conditions contained in the agreement.

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

First, all that area of land, containing 54 acres, 2 roods, and 10.2 perches, more or less, being part of Allotment 32 of the Karangahape Parish, situated in Block IX, Titirangi Survey District; being the balance of the land comprised and described in certificate of title, Volume 945, folio 235 (North Auckland Land Registry) (limited as to parcels and title).

Secondly, all that piece of closed road, containing 3 perches, more or less, situated in Block IX, Titirangi Survey District, North Auckland Registration District, adjoining part Allotment 32, Karangahape Parish; as the same is more particularly delineated on S.O. Plan 46235, and thereon coloured green.

Thirdly, all that area of land, containing 18 acres, 2 roods, and 9 perches, more or less, being Allotments 123 and 124, Karangahape Parish, situated in Block VI, Waitakere Survey District; being all of the land comprised and described in certificate of title, Volume 320, folio 26 (North Auckland Land Registry) (S.O. Plan 20503).

Fourthly, all that area of land, containing 1 acre, 3 roods, and 17.8 perches, more or less, being Allotment 161, Karangahape Parish, situated in Block VI, Waitakere Survey Parish; being all of the land comprised and described in certificate of title, Volume 19A, folio 856 (North Auckland Land Registry) (S.O. Plan 20503).

Fifthly, all that area of land, containing 950 acres, more or less, being parts of Allotment 34, Karangahape Parish, situated in Block VI, Waitakere Survey District; being all of the land comprised and described in certificate of title, Volume 945, folio 245 (North Auckland Land Registry) (limited as to parcels and title).

8. Declaring lands subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948—Whereas the lands described in subsection (2) of this section are set apart as permanent State forest land under the Forests Act 1949; And whereas it is desired that those lands should be declared to be Crown land subject to the Land Act 1948: Be it therefore enacted as follows: 5

(1) The setting apart of the lands described in subsection (2) of this section as permanent State forest land is hereby revoked and the said lands are hereby declared to be Crown land subject to the Land Act 1948. 10

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

First, all that area of land in the North Auckland Land District, containing 15 acres and 18 perches, more or less, being Section 8, Block XIV, Punakitere Survey District (S.O. Plan 13972). 15

Secondly, all that area of land in the South Auckland Land District, containing 189 acres, 2 roods, and 20 perches, more or less, being part Section 2, Block XII, Hastings Survey District, and being all the land shown on S.O. Plan 45304 lodged in the office of the Chief Surveyor at Hamilton. 20

Thirdly, all that area of land in the South Auckland Land District, containing 283 acres, 1 rood, and 24 perches, more or less, being part Section 7, Block XII, Tairua Survey District, part certificate of title, Volume 338, folio 131, and part Wharekawa East No. 1 Block situated in Blocks VIII and XII, Tairua Survey District, and being all the land shown on S.O. Plan 45180 lodged in the office of the Chief Surveyor at Hamilton. 25 30

Fourthly, all that area of land in the South Auckland Land District, containing 163 acres and 19 perches, more or less, being Section 4 and part Sections 3, 5, and 24, Block IX, Hurakia Survey District, and being all of the land shown on S.O. Plan 45443 lodged in the office of the Chief Surveyor at Hamilton. 35

Fifthly, all that area of land in the South Auckland Land District, containing 33 acres and 17.6 perches, more or less, being parts Sections 1, 2, and 30, Block III, Rotoma Survey District, and part Section 3, Block XI, Waihi South Survey District, and being all the land shown on S.O. Plan 45565 lodged in the office of the Chief Surveyor at Hamilton. 40

Sixthly, all that area of land in the Wellington Land District, containing 1 rood, more or less, being Section 1, Block II, Town of Waimarino, situated in Block XVI, Kaitieke Survey District, and being all of the land comprised and described in certificate of title, Volume 529, folio 68, Wellington Land Registry (S.O. Plan 16164).

Seventhly, all those various parcels of land in the Nelson Land District, being part Section 15, Block I, Gordon Survey District, containing 2 acres and 20 perches, more or less, being part of the land comprised and described in certificate of title, Volume 98, folio 14. As shown washed blue on S.O. Plan 10738L. Part Section 2, Block I, Gordon Survey District, containing 2 acres and 33 perches, more or less. As shown washed blue on S.O. Plan 10738L. Part Section 50, District of Upper Motueka, situated in Block I, Gordon Survey District, containing 39 acres and 26 perches, more or less, being part of the land comprised and described in certificate of title, Volume 98, folio 14. As shown bordered red on S.O. Plan 10660. Part Section 51, District of Upper Motueka (part D.P. 2600), situated in Block I, Gordon Survey District, containing 3 acres and 10 perches, more or less, being part of the land comprised and described in certificate of title, Volume 79, folio 190. As shown washed sepia on S.O. Plan 10647L. Part Section 51, District of Upper Motueka (part D.P. 2600), situated in Block I, Gordon Survey District, containing 2 roods and 28 perches, more or less, being part of the land comprised and described in certificate of title, Volume 79, folio 190. As shown washed orange on S.O. Plan 10647L. Part Lots 2 and 4, D.P. 1232, being part Section 51, District of Upper Motueka, and part Section 17, Block I, Gordon Survey District, containing 3 roods and 12.6 perches, more or less, being part of the land comprised and described in certificate of title, Volume 49, folio 181. As shown washed sepia on S.O. Plan 10647L. Part State forest, being part Closed Road, Block I, Gordon Survey District, containing 16 perches, more or less. As shown washed orange on S.O. Plan 10647L.

Eighthly, all that area of land in the Nelson Land District, containing 285 acres and 33 perches, more or less, being Section 37, Block II, Kongahu Survey District (S.O. Plan 6250L).

Ninthly, all that area of land in the Nelson Land District, containing 116 acres, 2 roods, and 34 perches, more or less, being part Sections 8, 9, 10, and 11, Block VII, Tadmor Survey District (S.O. Plan 11001).

Tenthly, all those areas of land in the Westland Land District, containing 363 acres, more or less, being parts Reserve 1594 situated in Blocks IX and X, Mawheraiti Survey District, and being all of the land shown on S.O. Plan 5848 lodged in the office of the Chief Surveyor at Hokitika. 15

Eleventhly, all that area of land in the Westland Land District, containing 230 acres, more or less, being part Reserve 1576 situated in Blocks XI and XV, Te Kinga Survey District, and being all the land shown on S.O. Plan 5850 lodged in the office of the Chief Surveyor at Hokitika. 10

Twelfthly, all that area of land in the Canterbury Land District, containing 1 acre, 1 rood, and 25.8 perches, more or less, being Lot 8, Deposited Plan 23526, being part Reserve 3315 situated in Block VIII, Hutt Survey District. Lot 11, Deposited Plan 23526, being part Rural Section 32444 situated in Block VIII, Hutt Survey District. Being part of the land comprised and described in certificate of title, Volume 172, folio 291. Lot 14, Deposited Plan 23526, being part Reserve 3315 situated in Blocks VIII and IX, Hutt Survey District. Lot 16, Deposited Plan 23526, being part Reserve 3315 situated in Block IX, Hutt Survey District. Lot 18, Deposited Plan 23526, being part Reserve 4760 situated in Block IX, Hutt Survey District. 15 20

Thirteenthly, all that area of land in the Canterbury Land District, containing 46 acres, 2 roods, and 10 perches, more or less, being parts Reserve 3347 situated in Block V, Waimate Survey District (S.O. Plan 11648). 25

Fourteenthly, all that area of land in the Southland Land District, containing 1,811 acres, more or less, being all that land situated in Blocks XXXI, XXXV, and XXXVI, Takitimu Survey District, and being all of the land shown on S.O. Plan 8150 lodged in the office of the Chief Surveyor at Invercargill. 30

9. Revoking the reservation for the purpose of a railway of certain land in the Lake Sumner area—Whereas, by Warrant dated the 11th day of October 1877 and published in the *Gazette* of that year at page 1011, the land described in subsection (2) of this section was reserved for the purpose of a railway pursuant to the Canterbury Land Regulations and the Waste Lands Administration Act 1876: And whereas that reservation purported to include part of Reserve 115, 35 40

and also Rural Section No. 6361, and also certain roads that had been laid off on maps of the Chief Surveyor before the 11th day of October 1877 for the purposes of access to Rural Section No. 6361: And whereas the reservation for the purpose of
5 a railway did not include the other reserve or that rural section or those roads: And whereas the land described in subsection (2) of this section has never been used and is no longer required for the purpose of a railway: And whereas,
10 by a Proclamation dated the 13th day of August 1898 and published in the *Gazette* of that year at page 1457, certain parts of the land described in subsection (2) of this section were purportedly set apart pursuant to the New Zealand State Forests Act 1885 as and for State forests within the meaning of that Act: And whereas there was no authority
15 in that Act to do so: And whereas it is desirable that those parts of the land described in subsection (2) of this section should have been set apart as and for State forests on the date on which they were purportedly set apart: Be it therefore enacted as follows:

20 (1) The said reservation for the purpose of a railway of the land described in subsection (2) of this section shall be deemed to have been revoked on the 12th day of August 1898.

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

25 All that tract of land 40 chains wide, commencing at the western end of Reserve No. 868; thence following along the southern shore of Lake Sumner and the slopes of the hills on the south side of Hurunui Valley to the summit of the dividing range, a distance of about 22 miles; but excluding
30 therefrom Reserve 2629.

10. Empowering the Dunedin Ocean Beach Domain Board to exchange land, and vesting certain Crown land in the Board—Whereas certain land is vested in the Dunedin Ocean Beach Domain Board (in this section referred to as
35 the Board) upon and subject to the trusts created by the Ocean Beach Public Domain Act 1892 (in this section referred to as the principal Act): And whereas the Board desires to exchange part of that land for certain

other land adjacent thereto but has no power to do so: And whereas it is desired to empower the Board to exchange land as hereinafter provided: And whereas the land described in subsection (5) of this section is Crown land: And whereas it is desired that such Crown land should be vested in the Board upon and subject to the trusts created by the principal Act: Be it therefore enacted as follows: 5

(1) Notwithstanding the Ocean Beach Public Domain Act 1892 or subsection (2) of section 11 of the Reserves and Domains Act 1953 or any other enactment or rule of law, the Board may in accordance with section 17 of the Reserves and Domains Act 1953 exchange any land vested in it under the principal Act, and in respect of any such exchange or proposed exchange the provisions of the said section 17 shall apply accordingly as if for the purposes of that section— 10 15

(a) The Board were an administering body:

(b) The land to be exchanged were a public reserve to which subsection (2) of section 11 of the Reserves and Domains Act 1953 does not relate.

(2) Any land given by way of exchange by the Board shall upon the exchange being effected be no longer subject to the trusts created by the principal Act. 20

(3) Any land that is acquired by the Board by way of exchange shall be held by it upon and subject to the trusts created by the principal Act. 25

(4) The land described in subsection (5) of this section is hereby vested in the Board upon and subject to the trusts created by the principal Act.

(5) The land to which subsection (4) of this section relates is more particularly described as follows: 30

All that area of land, containing 6.4 perches, more or less, being Crown land between part Lot 1 on Deposited Plan 1772 and part Section 4, Block XII, Dunedin and East Taieri Survey District; as more particularly shown on the plan marked L. & S. 1/56B deposited in the head office of the Department of Lands and Survey at Wellington, and thereon edged red. 35

11. Revoking a notice proclaiming a street in an unnamed domain in the Borough of Taupo to be closed—Whereas, by a notice dated the 14th day of November 1966 and published in the *Gazette* of that year at page 2247, the Minister of
- 5 Works proclaimed that the street therein specified was closed pursuant to section 29 of the Public Works Amendment Act 1948: And whereas it is now desirable that the closed street should revert to its former status as a public street: Be it therefore enacted as follows:
- 10 (1) The said notice dated the 14th day of November 1966 is hereby revoked.
- (2) The District Land Registrar for the Land Registration District of South Auckland is hereby authorised to make such entries in the appropriate register books of that Land
- 15 Registration District and to do all such other things as are necessary to give effect to this section.