

## RESERVES AND OTHER LANDS DISPOSAL BILL

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### EXPLANATORY NOTE

THIS Bill contains various provisions relating to Crown land, reserves, and other land held for public purposes.

*Clause 1* relates to the Short Title.

*Clause 2: subclause (1)* adds the Kapiti Borough Council to the list of local authorities entitled to a representative on the Queen Elizabeth Park Domain Board. It also provides that the representative of each local authority is to be appointed by that local authority. At present, all such appointments are made by the Minister of Lands on the recommendation of the respective local authority.

*Subclause (2)* provides that where there has been a change in local authority boundaries the Board, with the consent of each local authority affected, may recommend to the Minister changes in the Board's membership. Any such recommendation approved by the Minister will have effect according to its tenor.

*Clause 3* amends the Selwyn Plantation Board Act 1953.

*Subclause (1)* adds the Commissioner of Crown Lands for the Canterbury Land District to the membership of the Board.

Certain provisions of the Act require the prior approval of the Land Settlement Board to the exercise of certain of the Plantation Board's powers. *Subclause (2)* removes this limitation from each of those provisions.

*Clause 4* relates to the balance of a small area of reclaimed land at Sunshine Bay, Wellington Harbour. The land was reclaimed by the Wellington Harbour Board pursuant to an Order in Council made under section 175 of the Harbours Act 1950 on the 4th day of September 1961. Some of the reclaimed land has since been lost through erosion, and the balance is no longer required by the Board for any of its purposes. The land is situated within the territorial boundaries of the Borough of Eastbourne, and the Eastbourne Borough Council wishes to have the land vested in it for the purposes of a public car park. The Board has agreed to this, subject to it retaining ownership and control of the foreshore. This clause provides accordingly.

*Clause 5* relates to a certain piece of land forming part of the Auckland Domain. All the land comprised in the Domain is vested in the Auckland City Corporation upon the trusts declared by the Auckland Domain Vesting Act 1893. The clause authorises the Corporation to use or let the land to which the clause relates for the purposes of a public car park.

*Clause 6:* Section 31 of the Reserves and Domains Act 1953 provides that all sums arising from dealings with reserves must be held by the administering body for reserves purposes. Such money received by the MacKenzie County Council is held in its Plantation Reserves Account. Substantial sales of timber by the Council are now in prospect and it is expected that the resulting funds will exceed the amount that will reasonably be required by the Council for reserves purposes.

Accordingly, this clause empowers the Council from time to time to transfer funds from its Plantation Reserves Account to its General Account.

*Clause 7:* Section 2 of the Reserves and Other Lands Disposal Act 1970 declared certain land in the Westland Land District, thitherto being set apart as State forest land under the Forests Act 1949, to be Crown land subject to the Land Act 1948. It was intended to sell this piece of land to an adjoining owner, and for this purpose a survey of the land was carried out. This survey has revealed an error in the description of the land in the said section 2 of the Reserves and Other Lands Disposal Act 1970.

This clause repeals that section so far as it relates to the parcel of land concerned, and fresh provision is made in respect of the land.

*Clause 8* relates to two pieces of Crown land adjoining the Paritutu Centennial Park in New Plymouth. In 1970 the then Minister of Lands agreed to the revocation of a recreation reserve over an area of land adjoining the Park for use by the Crown in connection with the New Plymouth Power Station project. The Minister's agreement was conditional upon a suitable piece of land being made available for reserve purposes in exchange. It is now proposed that the land first described in the clause be set aside accordingly.

It is also proposed that the land secondly described in the clause be set aside as a reserve contribution in lieu of the requirements of section 351A of the Municipal Corporations Act 1954.

The clause vests both pieces of land in the New Plymouth City Council for incorporation into the Park.

*Clause 9* relates to two pieces of land situated at Onga Onga in the County of Waipawa. Both pieces of land are vested in the Forest Gate Domain Board incorporated under the Public Reserves and Domains Act 1908. The first piece of land is used for a public hall and the second for a war memorial. It has been agreed by the Board and the Waipawa County Council that both pieces of land should be transferred to the Council for the same purposes, but the Board has no power to transfer land. Accordingly, the clause vests both pieces of land in the Council.

*Clause 10* relates to certain land forming part of the Urewera National Park. It is proposed to release this land for forestry purposes in exchange for other State forest that is to be added to the Park. However, section 10 (2) of the National Parks Act 1952 provides that no land may be excluded from any National Park except by Act of Parliament. Accordingly, this clause provides the necessary legislative authority for the exclusion of the land from the Park.

*Clause 11* relates to certain land in or formerly comprising parts of the Hanmer Plains Reserve. The Reserve was set aside in 1860 and thereupon ceased to be Crown land. However, over the years a number of dealings with various portions of the Reserve have been carried out on the under-

standing that the land was still Crown land. In the main those dealings involved the setting apart of portions of the Reserve as a road, and certain other portions as State forest.

The clause corrects the original reservation and validates the dealings referred to.

*Clause 12* declares certain land that is subject to the Forests Act to be Crown land subject to the Land Act 1948.

The areas dealt with in this clause comprise various parcels of State forest in the North Auckland, South Auckland, Hawke's Bay, Nelson, and Otago Land Districts.

The land first described is part of the State forest nursery at Kaikohe. It is situated on Bisset Road, Kaikohe, and will be used in conjunction with adjoining Crown land in a subdivision producing 44 sections.

The land secondly described is part of the Tawarau State forest 49 km south of Te Kuiti. It is to be disposed of to the adjoining owner.

The land thirdly described is part of the Minginui State forest 27 km south-east of Murupara. It is to be disposed of to the adjoining owner.

The lands fourthly and fifthly described are part of the Kaingaroa State forest 51 km south of Rotorua. These lands are severed from the forest by Goudies Road and will be disposed of to the adjoining owner.

The land sixthly described is part of Tairua State forest 25 km east of Thames. It is to be disposed of to an adjoining owner.

The land seventhly described is part of the Gwavas State forest and is separated from it by Kereru Road which has been realigned. It is to be disposed of to the adjoining owner.

The land eighthly described is a small area of former provisional State forest 3 km south-east of Reefton. It is to be reserved along with adjoining land as an historic reserve.

The land ninthly described is an area of State forest 70 km west of Nelson. It is to be exchanged for other land.

The lands tenthly and eleventhly described are part of the Ahuriri State forest 51 km north-west of Omarama. They are to be exchanged with an adjoining owner.

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*Hon. Mr Rata*

## RESERVES AND OTHER LANDS DISPOSAL

### ANALYSIS

Title	
1. Short Title	
2. Increasing the membership of the Queen Elizabeth Park Domain Board	7. Revoking declaration that certain land to be subject to Land Act 1948, and substituting a fresh declaration
3. Amending certain provisions of the Selwyn Plantation Board Act 1953	8. Vesting certain Crown land in the New Plymouth City Council for incorporation into the Paritutu Centennial Park
4. Vesting certain reclaimed land in the Eastbourne Borough Corporation, subject to the reservation to the Wellington Harbour Board of the foreshore adjacent to the land	9. Vesting certain pieces of land in the County of Waipawa in the Waipawa County Council as reserves for specified purposes
5. Empowering the Corporation of the City of Auckland to use or let certain land in the Auckland Domain for the purposes of a public car park	10. Declaring certain land in the Urewera National Park to be Crown land under the Land Act 1948
6. Authorising the MacKenzie County Council to transfer funds from its Plantation Reserves Account to its General Account	11. Validating certain actions taken in respect of land formerly comprising parts of the Hanmer Plains Reserve, and revoking the reservation in respect of the balance of the land comprising the reserve
	12. Declaring land subject to the Forests Act 1949 to be Crown land subject to the Land Act 1948

### A BILL INTITULED

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

**BE IT ENACTED** by the General Assembly of New Zealand  
5 in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Reserves and Other Lands Disposal Act 1975.

**2. Increasing the membership of the Queen Elizabeth Park Domain Board**—Whereas section 10 of the Reserves and Other Lands Disposal Act 1954 made special provision for the appointment of a Domain Board (*inter alia*) to control Queen Elizabeth Park, a domain subject to the Reserves and Domains Act 1953, with the membership specified in subsection (2) of that section: And whereas subsection (4) of that section prohibits any alteration in the membership of the Board without the agreement of the Minister of Lands and the Wellington City Council (in this section referred to as the Council): And whereas by section 5 of the Reserves and Other Lands Disposal Act 1972 the membership of the Board was changed, with the agreement of the Minister of Lands and the Council as aforesaid, to include representatives of the Lower Hutt City Council, the Porirua City Council, the Upper Hutt City Council, the Petone Borough Council, the Eastbourne Borough Council, and the Tawa Borough Council, each such representative being appointed by the Minister of Lands on the recommendation of the appropriate Council: And whereas the Kapiti Borough Council is desirous of being represented on the Board: And whereas the Minister of Lands and the Council have agreed that the Kapiti Borough Council should be represented on the Board: And whereas it has been further agreed that each representative of the Councils should be appointed by the respective Council instead of by the Minister of Lands: And whereas it has been further agreed that provision should be made for changes in the Board's membership following local authority boundary changes without the need for further legislation: Be it therefore enacted as follows:

(1) Section 10 of the Reserves and Other Lands Disposal Act 1954 is hereby amended by repealing subsection (2) (as substituted by section 5 (1) of the Reserves and Other Lands Disposal Act 1972), and substituting the following subsection:

“(2) Notwithstanding the Reserves and Domains Act 1953, the Board shall consist of—

“(a) The Commissioner of Crown Lands for the Wellington Land District:

“(b) Three persons appointed by the Council:

“(c) One person appointed by the Lower Hutt City Council:

“(d) One person appointed by the Upper Hutt City Council:

“(e) One person appointed by the Kapiti Borough Council:

5 “(f) One person appointed jointly by the Porirua City Council and the Tawa Borough Council:

“(g) One person appointed jointly by the Hutt County Council, the Eastbourne Borough Council, and the Petone Borough Council:

“(h) Three other persons appointed by the Minister.”

10 (2) The said section 10 is hereby further amended by inserting, after subsection (2) (as substituted by subsection (1) of this section), the following subsection:

15 “(2A) Notwithstanding anything in subsection (2) of this section, where, because of changes in local authority boundaries, the Board considers that any change in its membership is desirable it may, with the consent of each local authority affected, recommend to the Minister—

20 “(a) The abolition of the right of any local authority mentioned in paragraphs (c) to (g) of subsection (2) of this section to appoint or join in appointing any person to the Board; or

“(b) An increase in the number of persons to be appointed under any of those paragraphs; or

25 “(c) The granting to any other local authority of the right to appoint or join in appointing any person to the Board,—

and if the Minister approves any such recommendation it shall have effect according to its tenor.”

### 3. Amending certain provisions of the Selwyn Plantation

30 **Board Act 1953**—Whereas section 3 (1) of the Selwyn Plantation Board Act 1953 (in this section referred to as the principal Act) provides for the continuance of the Selwyn Plantation Board first established by section 27 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act  
35 1910: And whereas it is considered desirable that the Commissioner of Crown Lands for the Canterbury Land District for the time being be appointed to the Board: And whereas by virtue of certain provisions of the principal Act the Board may exercise certain of its powers only with the prior approval  
40 or consent of the Land Settlement Board: And whereas it is considered desirable that this limitation on the Board’s jurisdiction be removed: Be it therefore enacted as follows:

(1) Section 3 of the principal Act is hereby amended by adding to subsection (2) (as substituted by section 2 (1) of the Selwyn Plantation Board Amendment Act 1963) the following paragraph:

- “(i) The Commissioner of Crown Lands for the Canterbury Land District.” 5
- (2) The principal Act is hereby further amended—
- (a) By omitting from section 2 the definition of the term “Land Settlement Board”:
- (b) By omitting from section 10 (3) (a) the words “With the prior approval of the Land Settlement Board,”: 10
- (c) By omitting from section 13 (1) the words “, with the prior consent of the Land Settlement Board,”:
- (d) By omitting from section 13 (3) the words “, with the prior consent of the Land Settlement Board,”: 15
- (e) By omitting from section 14 (1) the words “, with the prior approval of the Land Settlement Board,”.

**4. Vesting certain reclaimed land in the Eastbourne Borough Corporation, subject to the reservation to the Wellington Harbour Board of the foreshore adjacent to the land—** 20

Whereas by Order in Council made pursuant to section 175 (as originally enacted) of the Harbours Act 1950 on the 4th day of September 1961 and published in the *Gazette* of that year at page 1407 the Wellington Harbour Board (in this section called the Board) was authorised to reclaim certain land 25 from the sea at Sunshine Bay, Wellington Harbour, which it has done: And whereas part of the land has been subsequently lost through erosion, the balance being the land to which this section relates: And whereas no Order in Council vesting the land in the Board was made under subsection 30 (4) of the said section 175 before the repeal of that section: And whereas no such order has been made under subsection (2) of section 175B of the Harbours Act 1950 (as substituted by section 13 of the Harbours Amendment Act 1968): And 35 whereas the Board does not require the land for any of the purposes for which the Board was constituted: And whereas the land is situated within the territorial boundaries of the Borough of Eastbourne and the Eastbourne Borough Council is desirous that the land be vested in the Mayor, Councillors, and Citizens of the said Borough (in this section collectively 40 referred to as the Corporation) as a reserve for the purposes

of a car park: And whereas the Board is willing that the land be so vested subject to the reservation to the Board of the foreshore adjacent to the seaward side of the land as the same may from time to time be constituted: And whereas it is  
5 expedient to make provision accordingly: Be it therefore enacted as follows:

(1) Notwithstanding section 175 of the Harbours Act 1950, the land to which this section relates is hereby vested in the Corporation to be held by the Corporation as a reserve for car  
10 parking purposes subject to the Reserves and Domains Act 1953, but free from all other trusts, reservations, and restrictions.

(2) Notwithstanding subsection (1) of this section or section 150 of the Harbours Act 1950, the foreshore on the  
15 seaward side of the land as from time to time constituted is hereby vested or (as the case may require) shall, on its formation, vest in the Board to be held by the Board for the purposes for which it was constituted.

(3) Notwithstanding any other enactment or rule of law  
20 to the contrary, any accretion that from time to time occurs between the foreshore and the seaward side of the land shall be deemed to be part of the land and to be vested in the Corporation under subsection (1) of this section:

Provided that if any such accretion at any time becomes  
25 foreshore it shall, whilst it remains foreshore, be deemed to be vested in the Board under subsection (2) of this section.

(4) In this section, the term foreshore has the meaning assigned to it by section 2 of the Harbours Act 1950.

(5) This section relates to the following land:  
30 All that parcel of land situated in the Wellington Land District, containing 1011 square metres, more or less, being situated in Block XVI, Belmont Survey District, and being Section 82 of the Harbour District (S.O. 28357).

**5. Empowering the Corporation of the City of Auckland**  
35 **to use or let certain land in the Auckland Domain for the purposes of a public car park**—Whereas the land to which this section relates is a portion of the Auckland Domain and as such is vested in the Corporation of the City of Auckland (in this section called the Corporation) upon the trusts dec-  
40 lared by the Auckland Domain Vesting Act 1893: And whereas the Corporation is desirous of using or letting the land for



the purposes of a public car park: And whereas it is expedient to make provision accordingly: Be it therefore enacted as follows:

(1) Notwithstanding anything in the Auckland Domain Vesting Act 1893 or any other enactment, the Corporation is hereby empowered, in respect of the land to which this section relates,— 5

(a) To use the land or any part of it for the purposes of a public car park, and to make such charges in respect of the use of the car park as it thinks fit; and 10

(b) To lease the land or any part of it to any person, or to permit any person to use the land or any part of it, for the purposes of a public car park, for such period, not exceeding 1 year, for such consideration, and otherwise upon and subject to such terms and conditions as the Corporation thinks fit. 15

(2) This section relates to the following land:

All that parcel of land situated in the North Auckland Land District, containing 677 square metres, more or less, being part of the land on D.P. 21515, and being part of the Auckland Domain, situated in Block VIII, Rangitoto Survey District, being part of the land comprised and described in certificate of title, Volume 479, folio 229, North Auckland Registry, and shown marked "B" on S.O. 49380. 20

**6. Authorising the MacKenzie County Council to transfer funds from its Plantation Reserves Account to its General Account**—Whereas section 31 of the Reserves and Domains Act 1953 provides that all money received by way of rent, royalty, or otherwise in respect of any dealing with any public reserve (not being a domain) shall, where the reserve is vested in an administering body or an administering body has been appointed to control and manage the reserve, be held by the administering body and applied for the purposes of that Act: And whereas all money from time to time held by the MacKenzie County Council (in this section referred to as the Council) in its Plantation Reserves Account is subject to the provisions of the said section 31: And whereas it is expected that the amount that would otherwise be held in the Council's Plantation Reserves Account may from time to time exceed the amount that may reasonably be required for reserves purposes by the Council: And whereas it is desirable 25  
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that the Council be empowered to transfer from its Plantation Reserves Account to its General Account such sum or sums as the Council in its discretion may from time to time think fit: Be it therefore enacted as follows:

- 5 Notwithstanding anything in section 31 of the Reserves and Domains Act 1953 or any other enactment, where, in the opinion of the Council, the money in its Plantation Reserves Account for the time being is more than is reasonably necessary to enable the Council to carry out its functions in accordance with the provisions of the Reserves and Domains Act 1953, the Council may transfer from its Plantation Reserves Account to its General Account such sum or sums as the Council in its discretion thinks fit.

7. **Revoking declaration that certain land to be subject to Land Act 1948, and substituting a fresh declaration**—Whereas by section 2 of the Reserves and Other Lands Disposal Act 1970 the land ninthly described in subsection (2) of that section, thitherto being land set apart as State forest land under the Forests Act 1949, was declared to be Crown land subject to the Land Act 1948: And whereas because of an error in the description of that land it is desirable to revoke that declaration and to make fresh provision as hereinafter appears: Be it therefore enacted as follows:

- (1) Section 2 of the Reserves and Other Lands Disposal Act 1970 is hereby amended by repealing so much of subsection (2) as relates to the land ninthly described therein.

- (2) The setting apart of the land described in subsection (3) of this section as State Forest land is hereby revoked, and the said land is hereby declared to be Crown land subject to the Land Act 1948.

- (3) Subsection (2) of this section relates to the following land:

- All that parcel of land situated in the Westland Land District, containing 70.7000 hectares, more or less, being Rural Section 4777 (formerly parts Reserves 1597 and 1694), situated in Block III, Ahaura Survey District (S.O. 9388).

- (4) This section shall be deemed to have come into force on the 27th day of November 1970 (being the date of commencement of section 2 of the Reserves and Other Lands Disposal Act 1970).

**8. Vesting certain Crown land in the New Plymouth City Council for incorporation into the Paritutu Centennial Park**—Whereas on the 30th day of January 1970 the Minister of Lands agreed to the revocation of the reservation for recreational purposes of certain land adjoining the Paritutu Centennial Park (in this section referred to as the Park) to the intent that the land be held by Her Majesty the Queen under and for the purposes of the Housing Act 1955: And whereas it was a condition of the Minister's agreement as aforesaid that an area of land of equivalent value be made available as a reserve for recreational purposes and it has now been agreed that the land first described in subsection (2) of this section shall be made available accordingly: And whereas by notice pursuant to section 35 of the Public Works Act 1928 dated the 24th day of September 1973 and published in the *Gazette* on the 11th day of October 1973 at page 1957 the Minister of Works declared the land secondly described in subsection (2) of this section, being land acquired for a Government work but not required for that purpose, to be Crown land subject to the Land Act 1948: And whereas it is proposed to set aside the land secondly described in subsection (2) of this section as a reserve contribution in lieu of the requirements of section 351A of the Municipal Corporations Act 1954: And whereas it is desirable that the land first described in subsection (2) of this section be added to and form part of the Park: Be it therefore enacted as follows:

(1) Notwithstanding anything in the Land Act 1948 or the Housing Act 1955 or any other enactment, the land first described and the land secondly described in subsection (2) of this section is hereby vested in the Mayor, Councillors, and Citizens of the City of New Plymouth upon trust as a reserve for recreational purposes to the intent that such piece of land be added to and form part of the Park.

(2) This section relates to the following land:

First, all that parcel of land in the Taranaki Land District containing 1.4543 hectares, more or less, being situated in the City of New Plymouth and being Lot 63 on Deposited Plan 10427, and being part Section 60, Block IV, Paritutu Survey District, and being the whole of the land comprised and described in certificate of title, Volume C3, folio 139, Taranaki Land Registry.

Secondly, all that parcel of land in the Taranaki Land District, containing 1.5504 hectares, more or less, being situated in the City of New Plymouth, and being Lot 64 on Deposited Plan 10427, and being part Sections 58 and 60, Block IV, Paritutu Survey District, and being the whole of the land comprised and described in *Gazette* Notice 207653, Taranaki Land Registry.

**9. Vesting certain pieces of land in the County of Waipawa in the Waipawa County Council as reserves for specified purposes**—Whereas the land first described in subsection (3) of this section (in this section referred to as the hall site) is vested in the Forest Gate Domain Board, a board duly incorporated under the Public Reserves and Domains Act 1908 (in this section referred to as the Board) as a reserve for the purposes of a public hall: And whereas the land secondly described in subsection (3) of this section (in this section referred to as the war memorial site) is vested in the Board as a reserve for the purposes of a war memorial: And whereas it has been agreed by and between the Board and the Waipawa County Council (in this section referred to as the Council) that the hall site and the war memorial site should be vested in the Council for the same purposes: And whereas the Board has no power to transfer land: Be it therefore enacted as follows:

(1) The land first described in subsection (3) of this section is hereby vested in the Chairman, Councillors, and Inhabitants of the County of Waipawa upon trust as a reserve for the purposes of a public hall.

(2) The land secondly described in subsection (3) of this section is hereby vested in the said Chairman, Councillors, and Inhabitants of the County of Waipawa upon trust as a reserve for the purposes of a war memorial.

(3) This section relates to the following land:

First, all that parcel of land in the Hawke's Bay Land District, containing 1618 square metres, more or less, being situated in Block VIII, Ruataniwha Survey District, being part Block 43, Ruataniwha Crown Grant District, and being also Lot 5 on Deeds Plan 77 (Onga Onga), and being the whole of the land comprised and described in certificate of title, Volume 54, folio 133, Hawke's Bay Land Registry.

Secondly, all that parcel of land in the Hawkes Bay Land District, containing 6075 square metres, more or less, being situated in Block VIII, Ruataniwha Survey District, being part Block 43, Ruataniwha Crown Grant District, and being also Lots 10 to 15 on Deeds Plan 316 (S.O. 6233). 5

**10. Declaring certain land in the Urewera National Park to be Crown land under the Land Act 1948**—Whereas the land to which this section relates presently comprises part of the Urewera National Park: And whereas it is proposed to exclude the land from the Park so that it may be used for forestry purposes: And whereas by section 10 (2) of the National Parks Act 1952 no land may be excluded from any National Park except by Act of Parliament: Be it therefore enacted as follows: 10

(1) The setting apart of the land to which this section relates as National Park is hereby revoked, and the land is hereby declared to be Crown land subject to the Land Act 1948. 15

(2) This section relates to the following land:

All that parcel of land in the Gisborne Land District, containing 110 hectares, more or less, being situated in Block XIV, Koranga West Survey District, and being Section 4, Urewera Registration District (S.O. 6482). 20

**11. Validating certain actions taken in respect of land formerly comprising parts of the Hanmer Plains Reserve, and revoking the reservation in respect of the balance of the land comprising the reserve**—Whereas by notice dated the 11th day of February 1860 and published in the *Nelson Provincial Gazette* of that year at page 5 the land first described in subsection (5) of this section (in this section referred to as the Hanmer Reserve) was set aside as a public reserve: And whereas the land secondly, thirdly, fourthly, and fifthly described in subsection (5) of this section originally comprised parts of the Hanmer Reserve: And whereas some time before the 31st day of December 1906 the land secondly described in subsection (5) of this section was purportedly set aside as a public road: And whereas by notice under the Public Reserves and Domains Act 1908 dated the 19th day of January 1911 and published in the *Gazette* of that year at pages 265–6 the purpose for which the land thirdly described in subsection (5) of this section was reserved was changed from that of a public reserve to that of a plantation 25 30 35 40

reserve: And whereas by sections 105 and 106 of the Reserves and Other Lands Disposal Act 1921-22, section 16 of the Hanmer Crown Leases Act 1928, and section 14 of the Reserves and Other Lands Disposal Act 1931 the reservation for the  
5 purposes of a public reserve of certain pieces of land thitherto comprising parts of the Hanmer Reserve was cancelled: And whereas by notice under the Public Works Act 1928 dated the 25th day of January 1930 and published in the *Gazette* of that year at page 188 certain land thitherto comprising  
10 part of the Hanmer Reserve was set apart for the purposes of a State forest: And whereas by notice under the Land Act 1924 dated the 5th day of April 1930 and published in the *Gazette* of that year at page 1126 the land fourthly described in subsection (5) of this section, being part of  
15 the land secondly described in that subsection and being then assumed to be legal road, was purportedly closed as a road: And whereas by notice under section 18 of the Forests Act 1921-22 dated the 29th day of May 1930 and published in the *Gazette* of that year at page 1875 the said  
20 land was purportedly set apart as a State forest: And whereas by notice under the Forests Act 1921-22 dated the 24th day of March 1924 and published in the *Gazette* of that year at page 802, and by notice under that Act dated the 9th day of March 1925 and published in the *Gazette* of that year at  
25 page 720, and by notice under that Act dated the 30th day of June 1927 and published in the *Gazette* of that year at page 2197, and by notice under that Act dated the 17th day of October 1928 and published in the *Gazette* of that year at page 3000, and by notice under that Act dated the  
30 5th day of January 1933 and published in the *Gazette* of that year at page 7, and by notice under that Act dated the 12th day of November 1935 and published in the *Gazette* of that year at page 3331, and by notice under that Act dated the 25th day of April 1942 and published in the *Gazette* of  
35 that year at page 1325, and by notice under that Act dated the 5th day of February 1944 and published in the *Gazette* of that year at page 572 the land fifthly described in subsection (5) of this section was purportedly set apart as State  
40 forest: And whereas it is desirable to formally revoke the reservation as a public reserve in respect of the balance of the land comprised in the Hanmer Reserve: And whereas it is desirable that the purported setting aside of the land

secondly described in subsection (5) of this section as a road be validated: And whereas it is desirable that the purported closing of the land fourthly described in subsection (5) as a road and the subsequent setting apart of that land as State forest be validated: And whereas it is desirable that the purported setting aside of each piece of land fifthly described in that subsection as State forest be validated: Be it therefore enacted as follows:

(1) The reservation for a public reserve of the balance of the land first described in subsection (5) of this section and the reservation for a plantation reserve of the land thirdly described in that subsection are hereby revoked.

(2) Notwithstanding anything in the Public Works Act 1928 or any other enactment, the land secondly described in subsection (5) of this section is hereby dedicated as and declared to be a legal public road.

(3) The closing of the land fourthly described in subsection (5) of this section as a road and the setting apart of that land as a State forest shall be deemed for all purposes to have been done in accordance with law.

(4) The setting apart of the land fifthly described in subsection (5) of this section as State forest shall be deemed for all purposes to have been done in accordance with law.

(5) This section relates to the following land:

First, all that parcel of land in the Canterbury Land District, containing 1035.9952 hectares, more or less, being the Hanmer Plains Reserve around and including the hot springs on the Hanmer Plain, near Jollie's Pass, forming a parallelogram at the base of the hills bounding the plain on the north.

Secondly, all that parcel of land in the Canterbury Land District, containing 9.6540 hectares, more or less, situated in Block II, Lyndon Survey District, being part Hanmer Plains Reserve and being more particularly shown on S.O. Plan 13247 lodged in the office of the Chief Surveyor at Christchurch; and

All that parcel of land in the Canterbury Land District, containing 12.4850 hectares, more or less, situated in Block II, Lyndon Survey District, being part Hanmer Plains Reserve and being more particularly shown on S.O. Plan 13248 lodged in the office of the Chief Surveyor at Christchurch; and

All those parcels of land in the Canterbury Land District, containing 12.1597 hectares, more or less, situated in Block II, Lyndon Survey District, being parts Hanmer Plains Reserve and being more particularly shown on S.O. Plan 5 13249 lodged in the office of the Chief Surveyor at Christchurch.

Thirdly, all that parcel of land in the Canterbury Land District, containing 25.0905 hectares, more or less, situated in Block II, Lyndon Survey District, being Reserve 3819 10 (formerly part Section 45, Hanmer Plains Reserve).

Fourthly, all that parcel of land in the Canterbury Land District, containing 8194 square metres, more or less, situated in Block II, Lyndon Survey District, adjoining or passing through Reserve 4209 (formerly Section 47 Hanmer Plains 15 Reserve) and Reserve 3943.

Fifthly, all those parcels of land in the Canterbury Land District, situated in Blocks II and III, Lyndon Survey District, being part Reserve 3927 (formerly part Section 25, Hanmer Plains Reserve), Reserve 3943, and Reserve 3657; 20 and

All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being Reserve 4121 (formerly section 35, Hanmer Plains Reserve); and

25 All that parcel of land vested in the Canterbury Land District, situated in Block II, Lyndon Survey District, being Reserve 4191 (formerly Section 29, Hanmer Plains Reserve); and

30 All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being Reserve 4739 (formerly Reserve 3819 and part Section 45, Hanmer Plains Reserve); and

35 All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being part Reserve 4740 (formerly part Section 30, Hanmer Plains Reserve); and

All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being part Reserve 4740 (formerly Section 31 and part Section 30, Hanmer Plains Reserve); and

40 All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being Reserve 4462 (formerly Section 32, Hanmer Plains Reserve); and



All that parcel of land in the Canterbury Land District, situated in Block II, Lyndon Survey District, being Reserve 4480 (formerly Sections 26, 27, 28, 33, 34, 36 and 37 Hammer Plains Reserve).

**12. 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) of this section is set apart as State forest land under the Forests Act 1949: And whereas it is desired that it should be declared to be Crown land subject to the Land Act 1948: Be it therefore enacted as follows: 5 10

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

(2) This section relates to the following land: 15

First, all that parcel of land in the North Auckland Land District, containing 4969 square metres, more or less, being part Lot 1, D.P. 36866, and being part Taraire 1L Block, situated in Block XV, Omapere Survey District (S.O. 50037), and being part of the land comprised and described in certificate of title, Volume 958, folio 113, North Auckland Registry. 20

Secondly, all that parcel of land in the South Auckland Land District, containing 121.6080 hectares, more or less, being part Section 9, Block II, Maungamangero Survey District (S.O. 47575). 25

Thirdly, all that parcel of land in the South Auckland Land District, containing 1.9000 hectares, more or less, being part Section 8 (formerly part Section 2), Block XIII, Ahikereru Survey District (S.O. 47806). 30

Fourthly, all that parcel of land in the South Auckland Land District, containing 159 square metres, more or less, being part Lot 1, D.P. 27375, being part Kaingaroa No. 1A North Block, situated in Block XIII, Kaingaroa Survey District (S.O. 44586), and being part of the land comprised and described in certificate of title, Volume 698, folio 185, South Auckland Registry. 35

Fifthly, all that parcel of land in the South Auckland Land District, containing 1.1141 hectares, more or less, being part Section 1, Block XIII, Kaingaroa Survey District (S.O. 44586). 40

- Sixthly, all that parcel of land in the South Auckland Land District, containing 27.1300 hectares, more or less, being part Section 10 (formerly part Sections 3 and 4), Block VII, Tairua Survey District (S.O. 47963).
- 5     Seventhly, all that parcel of land in the Hawke's Bay Land District, containing 9560 square metres, more or less, being Block 9, Gwavas Crown Grant District, situated in Block XII, Wakarara Survey District (S.O. 6628).
- 10    Eighthly, all that parcel of land in the Nelson Land District, containing 4440 square metres, more or less, being State forest situated in Block XIV, Reefton Survey District, more particularly shown as Area A on S.O. 11973 lodged in the office of the Chief Surveyor, Nelson.
- 15    Ninthly, all that parcel of land in the Nelson Land District, containing an area of 18.4141 hectares, more or less, being parts of Sections 100, 101, and 102, square 6, situated in Block IV, Wangapeka Survey District, and parts of Section 17, Block IV, Wangapeka Survey District (S.O. 11738).
- 20    Tenthly, all that parcel of land in the Otago Land District, containing an area of 700.0 hectares, more or less, being part Rural Section 3338 situated in Hunter and Stafford Survey Districts, more particularly shown as Area A on S.O. Plan 17983 lodged in the office of the Chief Surveyor at Dunedin, and being part of the land comprised and described in *Gazette*
- 25    1898, page 1461.
- 30    Eleventhly, all that parcel of land in the Otago Land District, containing an area of 30.0 hectares, more or less, being part Rural Section 3339, situated in Hunter Survey District, more particularly shown as Area B on S.O. Plan 17983 lodged in the office of the Chief Surveyor at Dunedin, and being part of the land comprised and described in *Gazette* 1898, page 1461.