ANALYSIS

Title
1. Short Title
2. Land for road
3. Land vested in Council
4. Land vested in Crown as recreation reserve
5. Land freed from trusts
6. Re-appellation of land
7. Powers of District Land Registrar
Schedules

1988, No. 5—*Local*

An Act to define and, where necessary, alter the ownership and legal status of land included in and adjacent to the site of the St Clair salt water pool and to free that land from all trusts affecting it

[*19 September 1988*

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Dunedin City Council (St Clair Salt Water Pool) Land Vesting Act 1988.

2. Land for road—The land described in the First Schedule to this Act is hereby vested in the Dunedin City Council as road.

3. Land vested in Council—(1) The land described in the Second Schedule to this Act is hereby vested in the Dunedin City Council for an estate in fee simple.

(2) No person shall develop the land described in the Second Schedule to this Act unless the development includes the retention of the salt water pool in existence immediately before the commencement of this section for the purposes of aquatic recreation or the replacement of that pool with a similar facility for the same purposes.

(3) For the purposes of this section the expression "development" means development or redevelopment by

constructing, erecting, or altering any 1 or more buildings, fixed plant, and machinery, or other works, and includes—

(a) The fencing, draining, excavation, filling, or reclamation of land, or the making of retaining walls or other works related to that fencing, draining, excavation, filling, or reclamation; and

(b) The grading or levelling of land or the removal of rocks, stone, sand, or soil from land; and

(c) The removal or destruction of vegetation; and

(d) The arresting or elimination of erosion or flooding.

4. Land vested in Crown as recreation reserve—The land described in the Third Schedule to this Act is hereby vested in the Crown as a recreation reserve within the meaning of and subject to the Reserves Act 1977.

5. Land freed from trusts—The land described in the First, Second, and Third Schedules to this Act is hereby freed and discharged from all express and implied trusts, reservations, and restrictions, howsoever created, to which the land or any part of it is subject.

6. Re-appellation of land—The Chief Surveyor for the Otago Land District shall as soon as practicable allocate a new description of the land described in the Second Schedule to this Act, and shall forward to the District Land Registrar for the Otago Land Registration District a copy of that description.

7. Powers of District Land Registrar—(1) The District Land Registrar for the Otago Land Registration District is hereby authorised and directed to make such entries in that Registrar's registers and do all such other things as may be necessary to give effect to the provisions of this Act.

(2) The said District Land Registrar shall enter on any title issued for the land described in the Second Schedule to this Act a memorial to the effect that the land is subject to section 3 of this Act.

SCHEDULES

Sections 2, 5

FIRST SCHEDULE

1. All that piece of land containing 230 m², more or less, being part Section 6, Block XII, Dunedin and East Taieri Survey District, and shown marked A on S.O. plan 22402 lodged in the office of the Chief Surveyor at Dunedin.
2. All that piece of land containing 410 m², more or less, being part Section 101, Ocean Beach Survey District, and shown marked B on S.O. plan 22402 lodged in the office of the Chief Surveyor at Dunedin.
3. All that piece of land containing 572 m², more or less, being part Section 1, Ocean Beach Survey District, and shown marked C on S.O. plan 22402 lodged in the office of the Chief Surveyor at Dunedin.

Sections 3, 5, 6

SECOND SCHEDULE

1. All that piece of land containing 325 m², more or less, being part Section 101, Ocean Beach Survey District, and shown marked D on S.O. plan 22402 lodged in the office of the Chief Surveyor at Dunedin.
2. All that piece of land containing 2170 m², more or less, being part Section 6, Block XII, Dunedin and East Taieri Survey District, and shown marked E on S.O. plan 22402 in the office of the Chief Surveyor at Dunedin.
3. All that piece of land containing 480 m², more or less, being part Section 1, Ocean Beach Survey District, and shown marked F on S.O. plan 22402 in the office of the Chief Surveyor at Dunedin.

Sections 4, 5

THIRD SCHEDULE

All that piece of land containing 75 m², more or less, being part Section 1, Ocean Beach Survey District, and shown marked G on S.O. plan 22402 in the office of the Chief Surveyor at Dunedin.