Reprint
as at 19 December 1992

Ocean Beach Public Domain (Repeal and Vesting) Act 1992

Local Act	1992 No 7
Date of assent	18 December 1992
Commencement	18 December 1992

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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.

Schedule 3
Enactments repealed

An Act to repeal the Ocean Beach Public Domain Act 1892 and to vest domain land in the Dunedin City Council as local purpose reserves under the Reserves Act 1977 for the purposes of coastal protection and recreation

Preamble

Whereas the Dunedin Ocean Beach Domain Board was constituted by the Ocean Beach Public Domain Act 1892: And whereas pursuant to clause 6(1) of the Local Government (Otago Region) Reorganisation Order 1989 that Board was dissolved: And whereas pursuant to clause 121(d) of that order the Dunedin City Council assumed all the functions, duties, and powers of that Board under the Ocean Beach Public Domain Act 1892: And whereas, pursuant to clause 129(1) of that order, all real property vested in the Board and situated in the Dunedin City was vested in the corporation of the said Council, subject to all existing encumbrances: And whereas the land described in Schedules 1 and 2 is held by the said Council upon trusts pursuant to the Ocean Beach Public Domain Act 1892, including trusts to preserve and improve the said land for public purposes: And whereas with a view to providing better use of the said land for public amusement or recreation and in order to facilitate the protection and conservation of the said land, the said Council wishes to hold the said land as reserves subject to the Reserves Act 1977.

1 Short Title

This Act may be cited as the Ocean Beach Public Domain (Repeal and Vesting) Act 1992.

2 Vesting domain as reserve, etc

(1) The land described in Schedules 1 and 2 is hereby freed and discharged from all express and implied trusts, reservations,

and restrictions affecting it immediately before the commencement of this Act.

(2) The land described in Schedule 1 is hereby vested in the Dunedin City Council as a reserve within the meaning of the Reserves Act 1977, and shall be held by that Council as a local purpose reserve under section 23 of that Act for the purposes of coastal protection.

(3) The provisions of the Reserves Act 1977 shall apply in respect of the land vested in the Dunedin City Council by subsection (2) in the same manner as if the Council had, pursuant to section 14 of that Act, declared the land to be a local purpose reserve for the purposes of coastal protection.

(4) The land described in Schedule 2 is hereby vested in the Dunedin City Council as a reserve within the meaning of the Reserves Act 1977, and shall be held by that Council as a local purpose reserve under section 23 of that Act for recreation purposes.

(5) The provisions of the Reserves Act 1977 shall apply in respect of the land vested in the Dunedin City Council by subsection (4) in the same manner as if the Council had, pursuant to section 14 of that Act, declared the land to be a local purpose reserve for recreation purposes.

3 Provision for management plan

Notwithstanding the provisions of section 41(16) of the Reserves Act 1977, section 41 of that Act shall apply in respect of the land vested in the Dunedin City Council by section 2(2) of this Act as a local purpose reserve for the purposes of coastal protection.

4 Powers of District Land Registrar

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 section 2.

5 Repeals

The enactments specified in Schedule 3 are hereby repealed.

Schedule 1

ss 2(1), (2), 3

Land vested as reserve and held for coastal protection purposes under section 23, Reserves Act 1977

All those pieces of land in the Otago Land District, containing 98.1108 hectares, more or less, and being—

(a) 126 square metres, more or less, being Lot 3, Deposited Plan 12786, being part Section 1, Block XII, Dunedin and East Taieri Survey District. Being part of the Ocean Beach Public Domain, comprised and described in *Gazette* 1973, page 480, and certificate of title 5B/1006 (Otago Registry); and

(b) 2 800 square metres, more or less, being Section 9, Block XII, Dunedin and East Taieri Survey District. Being part of the Ocean Beach Public Domain, comprised and described in section 2, Reserves and Other Lands Disposal Act 1963 (SO 13353); and

(c) 182 square metres, more or less, being Section 14, Block XII, Dunedin and East Taieri Survey District. Being part of the Ocean Beach Public Domain, comprised and described in section 10, Reserves and Other Lands Disposal Act 1971 (SO 17497); and

(d) 36 hectares, more or less, being Section 15, Block XII, Dunedin and East Taieri Survey District. Being part of the Ocean Beach Public Domain, comprised and described in the Ocean Beach Public Domain Act 1892, section 13, Reserves and Other Lands Disposal Act 1929, and *Gazette* 1884, page 163 (SO 19589); and

(e) 61.8 hectares, more or less, being Section 1, SO 23760. Being part of the land comprised and described in the Ocean Beach Public Domain Act 1892, *Gazette* 1884, page 163, and section 35, Reserves and Other Lands Disposal Act 1927.

Schedule 2

s 2(1), (4)

Land vested as reserve and held for recreation purposes under section 23, Reserves Act 1977

All that piece of land in the Otago Land District, containing 3 833 square metres, more or less, being Lot 1, Deposited Plan 11060 and Lots 1 and 2, Deposited Plan 17997, being part Sections 80 and 81, Block VII, Town Survey District. Being part of the Ocean Beach Public Domain, comprised and described in certificate of title 13A/1471 (Otago Registry) and *Gazette* 1990, page 2843 (GN 761015/1).

Schedule 3

s 5

Enactments repealed

City of Dunedin Lands Vesting Act 1906 (1906 No 35 (L))
Amendment(s) incorporated in the Act(s).

City of Dunedin Lands Vesting Amendment Act 1965 (1965 No 4 (L))
Amendment(s) incorporated in the Act(s).

Ocean Beach Public Domain Act 1892 (1892 No 13 (L))

Ocean Beach Public Domain Act 1892 Amendment Act 1894 (1894 No 8 (L))

Ocean Beach Public Domain Act 1892 Amendment Act 1901 (1901 No 23 (L))

Ocean Beach Public Domain Amendment Act 1920 (1920 No 2 (L))

Reserves and Other Lands Disposal Act 1927 (1927 No 64)
Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal Act 1929 (1929 No 18)
Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal Act 1950 (1950 No 89)
Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal Act 1963 (1963 No 128)
Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal Act 1971 (1971 No 141)
Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913 (1913 No 67)

Amendment(s) incorporated in the Act(s).

Reserves and Other Lands Disposal and Public Bodies Empowering Act 1914 (1914 No 70)

Amendment(s) incorporated in the Act(s).

Contents

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Notes

1 General

This is a reprint of the Ocean Beach Public Domain (Repeal and Vesting) Act 1992. The reprint incorporates all the amendments to the Act as at 19 December 1992, 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)

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