



ANALYSIS

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1974, No. 14—*Local*

An Act to vest the private streets and footways at Ohinemutu in the City of Rotorua

[8 November 1974]

WHEREAS in the area known as Ohinemutu in the City of Rotorua there are situate certain streets and footways on Maori land which are customarily used by the public but which cannot be dedicated or taken as public streets, being underwidth: And whereas it is desirable for the future use, maintenance, and development of the streets and footways and for the benefit of the land served by them that such streets and footpaths should be vested in the Corporation of the City of Rotorua:

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

1. Short Title—This Act may be cited as the Rotorua City Empowering (Ohinemutu Streets) Act 1974.

2. Vesting of land as streets—Notwithstanding anything to the contrary in any other enactment, the streets and footways (whether formed or unformed), being the land described in

the Schedule to this Act, are hereby vested in the body corporate called the Mayor, Councillors, and Citizens of the City of Rotorua in fee simple discharged from all encumbrances, mortgages, charges, claims, estates, or interests of whatsoever kind; and are hereby declared to be streets within the meaning of section 169 of the Municipal Corporations Act 1954. Except as otherwise provided in this Act, the provisions of the Municipal Corporations Act 1954 shall apply to those streets.

3. Amendment of titles—The Maori Land Court and the District Land Registrar are hereby empowered and directed to make all necessary amendments to any estates or interests in land, orders, or certificates of title, and to do such other acts for the purpose of giving full effect to the provisions of this Act.

4. Disposal of stopped streets—If any portion of the said streets is stopped or closed under the Municipal Corporations Act 1954 or any other Act, then notwithstanding anything to the contrary in that Act or in any other Act, the Corporation shall convey that portion, without payment to it of any consideration, to such person or persons (whether incorporated or not) and in such shares as the Maori Land Court for the district in which the land is situated in its absolute discretion directs; and in any such case the Court shall be empowered to consider any application in that behalf and make such order in respect of the application as it thinks fit.

5. Subdivision of adjoining land—Notwithstanding anything to the contrary in Part XXV of the Municipal Corporations Act 1954 or in any other Act, the Rotorua City Council may, with the consent of the Minister of Local Government given after consultation with the Minister of Maori Affairs, approve the subdivision or partition of any land adjacent to the said streets without requiring the frontage of any allotment to be set back and without requiring the imposition of a building-line restriction.

6. Additional powers—(1) In addition to the powers conferred by section 170 (4) (i) and (o) of the Municipal Corporations Act 1954 and notwithstanding anything to the contrary in that Act, the Rotorua City Council may, on receiving an application in that behalf, after consultation

with any Maori Committee constituted under section 9 of the Maori Welfare Act 1962 for an area in the immediate locality of the said streets or, if there is no such committee, on its own motion, close any portion of the said streets for such period and subject to such conditions as it thinks fit for the purposes of any tangi or other function of tribal or other Maori significance in the Ohinemutu Village. The Council shall give such public notice of any such closure as is practicable.

(2) The power conferred on the Rotorua City Council by subsection (1) of this section may be exercised by the Mayor or, in his absence, by the Town Clerk and a Councillor, on behalf of the Council.

(3) The Council shall be immune from any claim and not be liable to any person for any loss or damage resulting from any such closure.

SCHEDULE

Area A. R. P.	Description of Land	Shown on S.O. Plan Numbered
0 0 04.2	Part Turanga-O-Hikanui 3 Block (Roadway)	46994
0 0 08.4	Part Te Korokoro 1B Block (Roadway)	46994
0 0 02.2	Part Te Korokoro 2B Block (Roadway)	46994
0 0 02.6	Part Te Korokoro 2A Block (Roadway)	46994
0 0 00.6	Part Te Korokoro 2C Block (Roadway)	46994
0 0 01.6	Part Te Kuirau 3A Block (Roadway) All situated in Block I, Tarawera Survey District	46994
0 0 02.7	Part Te Kuirau 3B Block (Roadway)	46994
0 0 03.9	Part Te Kuirau 1 Block (Roadway)	46994
0 0 00.5	Part Te Kuirau 2 Block (Roadway)	46994
0 1 00.3	Part Whakatoringaranga Block (Roadway)	46994
0 0 00.4	Part Whakatoringaranga 1 Block (Roadway)	46994

SCHEDULE—continued

Area A. R. P.	Description of Land	Shown on S.O. Plan Numbered
0 0 03.1	Part Harakekeroa A2 Block (Roadway)	46994
	All situated in Block I Tarawera Survey District	
0 0 27.4	Part Harakekeroa A3 Block (Roadway)	46994
0 0 00.4	Part Harakekeroa A3A Block (Roadway)	46994
0 0 01.9	Part Harakekeroa B1 Block (Roadway)	46994
0 0 04.0	Part Harakekeroa B2 Block (Roadway)	46994
	All situated in Block I Tarawera Survey District	
0 0 07.7	Part Harekekeroa C3 Block (Roadway)	46995
0 1 01.0	Part Omarukaipua 5 Block (Roadway)	46995
0 0 03.9	Part Tapuae D4 Block (Roadway)	46995
0 0 03.4	Part Tapuae D1 Block (Roadway)	46995
0 0 09.3	Part Harakekeroa C3 Block (Roadway)	46995
0 0 12.4	Part Omarukaipua 4 Block (Roadway)	46995
	All situated in Block I Tarawera Survey District	
0 0 06.2	Part Taumataherea Block (Roadway)	46995
0 0 18.2	Part Putoetoe 1 Block (Roadway)	46995
0 0 02.8	Part Rotoa Te Maunu Block (Roadway)	46995
0 0 09.5	Part Punawhakareia 1 Block (Roadway)	46995
0 0 04.8}	Part Aratua Block	46995
0 0 26.3}	(Roadway)	
0 0 20.8	Part Putoetoe 2 Block (Roadway)	46995
	All situated in Block I Tarawera Survey District	
0 0 09.4	Part Para Te Hoata 3 Block (Roadway)	46995
0 0 02.5}	Part Para Te Hoata 4 Block	46995
0 0 08.7}	(Roadway)	

SCHEDULE—continued

Area A. R. P.	Description of Land	Shown on S.O. Plan Numbered
0 0 07.8	Part Para Te Hoata 1 Block (Roadway)	46995
0 0 04.1	Part Waihunuhunukuri 2 Block (Roadway)	46995
0 0 03.7	Part Utanga 10A North Block (Roadway)	46995
0 0 03.6	Part Utanga 10B North Block (Roadway)	46995
0 0 00.9	Part Te Pahou Block (Roadway)	46995
	All situated in Block I, Tarawera Survey District	
0 0 04.2	Part Punawhakareia 2 Block (Roadway)	46995
0 0 01.7	Part Waikite Block (Roadway)	46995
0 0 01.7	Part Para Te Hoata 5 Block (Roadway)	46995
0 0 01.2	Part Tapuae E Block (Roadway)	46995
0 0 01.8	Part Tapuae N.E. Pn A Block (Roadway)	46995
0 0 01.5	Part Tapuae B Block (Roadway)	46995
	All situated in Block I, Tarawera Survey District	
0 0 19.6	Part Waikite 12 Block (Roadway)	46996
0 0 05.2	Part Te Pahou Block (Roadway)	46996
0 0 01.6	Part Te Tahuna Block (Roadway)	46996
0 0 00.7	Part Te Anakiwi 3 Block (Roadway)	46996
0 0 00.8}	Part Te Anakiwi 2 Block	46996
0 0 04.3}	(Roadway)	
	All situated in Block I, Tarawera Survey District	
0 0 02.9	Part Papaouru Block (Roadway)	46996
0 0 00.3}	Part Rotorua Lake Bed	46996
0 0 00.4}	(Roadway)	
0 0 10.6	Part Rutau A. Block (Roadway)	46996
0 0 05.1	Part Rutau 1 Block (Roadway)	46996
0 0 05.7	Waikite 11 Block (Roadway)	46996

SCHEDULE—*continued*

Area A. R. P.	Description of Land	Shown on S.O. Plan Numbered
0 0 02.1	Part Waikite 1 Block (Roadway)	46996
0 0 00.2	Part Waikite 10 Block (Roadway)	46996
	All situated in Block I, Tarawera Survey District	
0 0 00.3	Part Waikite 9 Block (Roadway)	46996
0 0 00.6	Part Waikite 8 Block (Roadway)	46996
0 0 01.3	Part Waikite 7 Block (Roadway)	46996
0 0 00.6	Part Waikite 6 Block (Roadway)	46996
0 0 01.4	Part Waikite 3 Block (Roadway)	46996
0 0 02.1	Part Te Anakiwi 9 Block (Roadway)	46996
0 0 01.6	Part Te Anakiwi 8 Block (Roadway)	46996
0 0 02.1	Part Te Anakiwi 7 Block (Roadway)	46996
0 0 00.3	Part Te Anakiwi 4 Block (Roadway)	46996
0 0 00.8	Part Te Kiekie 2 Block (Roadway)	46996
0 0 00.7	Part Te Anakiwi Ouru A Block (Roadway)	46996
0 0 01.2	Part Te Rangaranga 1 Block (Roadway)	46996
0 0 01.2	Part Te Rangaranga 4 Block (Roadway)	46996
	All situated in Block I, Tarawera Survey District	
0 0 03.2	Part Te Kokomukarukupo 3 Block (Roadway)	46996
0 0 02.5	Part Te Kokomukarukupo Block (Roadway)	46996
0 0 03.2}	Part Te Kokomukarukupo 2	46996
0 0 04.9}	Block (Roadway)	
0 0 02.5	Part Te Anakiwi Ouru 4 Block (Roadway)	46996
0 0 02.6	Part Ouru 5 Block (Roadway)	46996
0 0 02.3	Part Ouru 1 Block (Roadway)	46996
	All situated in Block I, Tarawera Survey District	

SCHEDULE—*continued*

Area A. R. P.	Description of Land	Shown on S.O. Plan Numbered
0 0 02.3	Ouru 5 Block (Roadway)	46996
0 0 04.4	Part Ouru 4 Block (Roadway)	46996
0 0 03.0	Part Te Takapuotukumara 2 Block (Roadway)	46996
0 0 03.7	Part Te Takapuotukumara 3 Block (Roadway)	46996
0 0 04.1	Part Takapuotukumara Kia Te Mimi Block (Roadway) All situated in Block I, Tarawera Survey District	46996
0 0 07.4	Part Tahererauti 1 Block (Roadway)	46996
0 0 02.5	Part Tahererauti 2 Block (Roadway) Both situated in Block I, Tara- wera Survey District	46996