

**Reprint
as at 14 December 1979**



**Rotorua City Empowering
(Ohinemutu Streets) Act 1974**

Local Act 1974 No 14
Date of assent 8 November 1974
Commencement 8 November 1974

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

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.

Preamble

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.

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, 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 25 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 Community Development 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) 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.

Section 6(1): amended, on 14 December 1979, pursuant to section 19(1) of the
Maori Purposes Act 1979 (1979 No 136).

Schedule

Area A R P	Description of land	Shown on SO 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)	46994
	All situated in Block I, Tarawera Survey District	
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
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

Area A R P	Description of land	Shown on SO plan numbered
0 0 02.8	Part Rotoa Te Maunu Block (Roadway)	46995
0 0 09.5	Part Punawahakareia 1 Block (Roadway)	46995
0 0 04.8	} Part Aratua Block (Roadway)	46995
0 0 26.3		
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 (Roadway)	46995
0 0 08.7		
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 Punawahakareia 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 NE 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 (Roadway)	46996
0 0 04.3		

Area A R P	Description of land	Shown on SO plan numbered
0 0 02.9	Part Papaiouru Block (Roadway)	46996
0 0 00.3	} Part Rotorua Lake Bed (Roadway)	46996
0 0 00.4		
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
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 Block (Roadway)	46996
0 0 04.9		
0 0 02.5	Part Te Anakiwi Ouru 4 Block (Roadway)	46996

Area A R P	Description of land	Shown on SO plan numbered
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	
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)	46996
	All situated in Block I, Tarawera Survey District	
0 0 07.4	Part Tahererauti 1 Block (Roadway)	46996
0 0 02.5	Part Tahererauti 2 Block (Roadway)	46996
	Both situated in Block I, Tarawera Survey District	

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Notes

1 *General*

This is a reprint of the Rotorua City Empowering (Ohinemutu Streets) Act 1974. The reprint incorporates all the amendments to the Act as at 14 December 1979, 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)*

Maori Purposes Act 1979 (1979 No 136): section 19(1)
