

Otago Harbour Trust Leasing Ordinance 1862 (O)

Provincial Act 69
Date of assent 27 August 1862

References to decimal currency were substituted for references to the former currency by section 7 Decimal Currency Act 1964 (1964 No 27).

Contents

	Page
Title	1
Preamble	1
1 Superintendent to offer lease of land for sale at an annual rental	2
2 Superintendent to offer lease of land for sale at an nominal rental	2
3 Money arising from sale to be paid to the Provincial Treasurer and how to be applied	3
4 Lands comprised within Grant declared to be included within the limits of the City of Dunedin	3
5 Lease of part of land to be granted to William Hunter Reynolds, Esquire	3
6 Short Title	4
Schedule	4
Schedule of building sites reclaimed	

**In the 25th year of the reign of Her Majesty Queen Victoria
An Ordinance to authorise the leasing of a portion of the land
held by the Superintendent in trust for the improvement of the
Harbour of Otago**

Preamble

WHEREAS by Crown Grant bearing date the 8th day of October 1861 all that parcel of land in the Province of Otago in the Dominion

of New Zealand situate in the Harbour of Otago below high-water mark and opposite and adjacent to the Town of Dunedin containing by admeasurement 421 acres 3 roods and 13 perches more or less bounded as in the said Grant is mentioned was granted to the Superintendent of the Province of Otago and his successors in trust for the improvement of the Harbour of Otago and the construction and maintenance of such docks, piers, and other works therein as might be deemed advisable by the said Superintendent for facilitating the trade and commerce of the City and Port of Dunedin: AND WHEREAS it is expedient that the land comprised in the said Grant should be included within the limits of the City of Dunedin and that the Superintendent should be empowered to grant leases of a portion of the said lands for periods not exceeding 99 years in order to raise money for carrying out the trusts of the said Grant.

The Preamble was amended by section 29(2) Acts Interpretation Act 1924 by substituting the reference to the "Dominion of New Zealand" for a reference to the "Colony of New Zealand".

1 Superintendent to offer lease of land for sale at an annual rental

It shall be lawful for the Superintendent of the Province of Otago from time to time to offer for lease by public auction to the highest bidder at an annual rental, for any term not exceeding 99 years the land mentioned and described in the Schedule to this Ordinance annexed being part of the land comprised in the said recited Grant in such allotments as he shall think fit and to execute all necessary deeds for demising and leasing the land so let as aforesaid to the purchaser thereof, his executors, administrators, and assigns for the term for which the same shall be so let.

2 Superintendent to offer lease of land for sale at an nominal rental

It shall be lawful for the Superintendent from time to time to offer for lease by public auction any portion of land mentioned and described in the said Schedule at nominal rental for any term not exceeding 99 years and upon payment of the premium or purchase money from time to time to exclude all necessary deeds for deminishing and leasing every portion of the said

lands so disposed of to the purchaser thereof his executors, administrators, and assigns for the term for which the same shall be so let.

3 Money arising from sale to be paid to the Provincial Treasurer and how to be applied

All money arising from the sale of the said leases and the rents to be thereby reserved shall from time to time be paid to the Treasurer of the said Province and applied towards the payment and satisfaction of the principal and interest on any debentures issued under the provisions of any Ordinance to be passed for raising money by way of loan by the Superintendent and Provincial Council for the improvement of the said Harbour and towards payment and satisfaction of all money which has already been appropriated and which shall hereafter be appropriated by way of loan by the Superintendent and Provincial Council for the improvement of the said Harbour.

4 Lands comprised within Grant declared to be included within the limits of the City of Dunedin

The land comprised within the said recited Grant shall be included and the same is hereby declared to be included within the limits of the City of Dunedin and the lessees and occupiers thereof shall be subject to the same laws and regulations in matters of Police and sanitary improvements and shall be liable and charged with the payment of such rates and taxes as the owners and occupiers of land and tenements within the limits of the said City now are or shall at any time hereafter be subject to and liable to be charged with and pay.

5 Lease of part of land to be granted to William Hunter Reynolds, Esquire

WHEREAS a bonded store has been erected on part of the said land by William Hunter Reynolds, Esquire, under a promise of a lease thereof made to him by the Provincial Government. It shall be lawful for the Superintendent to grant to the said William Hunter Reynolds a lease of all that parcel of the said land situate near the Dunedin Jetty commencing

from the south side of the bonded store already erected by him and extending northwards 79 feet with an uniform depth of 99 feet for the term of 14 years from the first day of March 1859 at the clear yearly rent of \$150, such rent to commence from the 1st day of June 1862.

6 Short Title

The Short Title of this Ordinance shall be the Otago Harbour Trust Leasing Ordinance 1862.

Passed the Provincial Council this 9th day of May 1862.

ALEX RENNIE

SPEAKER

CHARLES SMITH

CLERK OF COUNCIL.

Dunedin, 9th May 1862.

I hereby declare that I reserve this Bill for the signification of the Governor's pleasure thereon.

J L C RICHARDSON

SUPERINTENDENT OF THE PROVINCE OF OTAGO

Schedule Schedule of building sites reclaimed

No on the Plan	Dimensions				Areas		
1	330	feet by	132	feet	Equal to	4840	square yards

2	330	..	132	..	..	4840	..
3	330	..	132	..	..	4840	..
4	330	..	132	..	..	4840	..
5	450	..	132	..	..	6600	..
6	250	..	200	..	..	5555	..
7	150	..	200	..	..	3333	..
8	330	..	132	..	..	4840	..
9	330	..	132	..	..	4840	..
10	330	..	132	..	..	4840	..
11	330	..	132	..	..	4840	..
12	330	..	132	..	..	4840	..
13	350	..	132	..	..	5133	..
14	250	..	200	..	..	5555	..
15	50	..	50	..	..	277	..
16	400	..	330	..	..	14666	..
17	200	..	330	..	..	7333	..
18	330	..	330	..	..	12100	..
19	330	..	330	..	..	12100	..
20	330	..	330	..	..	12100	..
21	200	..	330	..	..	7333	..
22	150	..	250	..	..	4166	..
23	200	..	330	..	..	7333	..
24	330	..	330	..	..	12100	..

Schedule	Otago Harbour Trust Leasing Ordinance 1862 (O)				Reprinted as at 3 September 2007		
25	330	..	330	..	..	12100	..
26	330	..	330	..	..	12100	..
27	375	..	330	..	..	13750	..
28	37	..	75	..	..	308	..
29	330	..	132	..	..	4840	..
30	330	..	132	..	..	4840	..
31	330	..	132	..	..	4840	..
32	500	..	132	..	..	7333	..
33	330	..	200	..	..	7333	..
34	330	..	200	..	..	7333	..
35	330	..	132	..	..	4840	..
36	330	..	132	..	..	4840	..
37	330	..	132	..	..	4840	..
38	330	..	132	..	..	4840	..
39	430	..	132	..	..	<u>6306</u>	..
						261,687 (Equal to 54 acres 327 square yards)	