

Oamaru Town Reserves Management Ordinance 1872 (O)

Provincial Act 382
Date of assent 30 September 1872

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**In the 35th year of the reign of Her Majesty Queen Victoria
An Ordinance to transfer and vest in the Corporation of the
Incorporated Town of Oamaru the management of certain lands
now vested in the Province of Otago in trust for purposes of
public utility for the Town of Oamaru and its inhabitants**

Preamble

WHEREAS the lands and hereditaments described in the Schedules hereto are vested in the Superintendent of the Province of Otago and his successors subject to the provisions of certain Acts passed

by the Parliament of New Zealand intituled the Public Reserves Act 1854 and the Public Reserves Act Amendment Act 1862: AND WHEREAS by a Proclamation in the Government Gazette of the Province of Otago made under the provisions of an Ordinance passed by the Superintendent and Provincial Council of the said Province intituled the Otago Municipal Corporations Ordinance 1865 (O) the provisions of the said Ordinance were extended to the Town of Oamaru and the citizens of the said Town were incorporated under the style of the Corporation of the Incorporated Town of Oamaru: AND WHEREAS by the said Public Reserves Act Amendment Act 1862 it is provided that it shall be lawful for the Superintendent and Provincial Council of any Province by any Act, or Ordinance to be from time to time duly passed in that behalf to direct and declare that any land vested or which might thereafter be vested in the Superintendent of any Province under the provisions of the said Public Reserves Act 1854 upon trust for any public purposes should be transferred to and vested in and held by any Corporation, Commission or other person or persons having corporate succession to be named in such Act or Ordinance in trust for the like or for any other public purpose to be specified and declared in such Act or Ordinance in such manner and with such powers of lease, management, and disposition over the same and over all rents, issues, profits, and proceeds thereof and other powers, provisions, and conditions as should in such Act or Ordinance be expressed or declared: AND WHEREAS by an Ordinance of the Superintendent and Provincial Council of the Province of Otago intituled the Oamaru Town Reserves Management Ordinance 1865 (O) it was enacted that it should be lawful for the Superintendent of the Province of Otago to vest the management of the lands described in the Schedule thereto marked B or any of them in the Town Board of Oamaru under such restrictions and limitations, as should secure the due maintenance and fulfillment of the several purposes for which such lands respectively have been reserved: AND WHEREAS it is expedient that the said last recited Ordinance should be repealed in so far as the same relates to such of the said lands and hereditaments as are described in Schedule 1 hereto and that the management of the said lands and hereditaments and the lands described in the Second Schedule hereto should be transferred to and vested in the Corporation of the incorporated Town of Oamaru

upon the trusts and with and subject to the powers, provisions and conditions hereinafter declared.

The reference to the “Parliament of New Zealand” was substituted for a reference to the “General Assembly of New Zealand” by section 29(2) Constitution Act 1986.

1 Short Title

This Ordinance shall be intituled and may be cited and referred to as the Oamaru Town Reserves Management Ordinance 1872.

2 Oamaru Town Reserves Management Ordinance 1865 repealed

The Oamaru Town Reserves Management Ordinance 1865 (O) in so far as the same relates to the lands and hereditaments mentioned and described in the said Schedule hereto shall be and the same is hereby repealed.

3 Management of lands described in Schedules to be vested in the Corporation of the Incorporated Town of Oamaru

The Superintendent of the Province of Otago is hereby authorised to vest the management of the lands and hereditaments mentioned and described in the several Schedules hereto in the Corporation of the incorporated Town of Oamaru and its successors as a corporate body in trust for the like purposes for which such lands are now held and to carry out and secure the due maintenance and fulfillment of the said purposes.

4 Lawful for the said Corporation to manage the said lands under certain provisions

It shall be lawful for the Corporation of the incorporated Town of Oamaru with the sanction and consent of the Superintendent to lease the said lands and hereditaments at such rents, issues and profits as they may deem expedient subject to the provisions of the said before-mentioned Acts passed by the Parliament of New Zealand intituled the Public Reserves Act 1854 and the Public Reserves Act Amendment Act 1862 so that such leases be for any term not exceeding

21 years to take effect from the time of the execution thereof and under such restrictions and limitations as shall secure the full maintenance of the purposes for which such lands have respectively been reserved.

The reference to the “Parliament of New Zealand” was substituted for a reference to the “General Assembly of New Zealand” by section 29(2) Constitution Act 1986.

5 Money received from such lands to be expended in improvements thereon

All money received by the Corporation of the Town of Oamaru for rents and profits arising from the lease and management of such lands shall be expended in improving the lands out of which the same money shall arise and in carrying out the objects contemplated in creating such Reserves and for no other purpose whatsoever.

Schedule 1

Reserve for Public Esplanade— All that area in the Province of Otago containing by admeasurement 50 acres and 2 roods more or less situate in the Town of Oamaru and marked “Reserve for Esplanade” on the Record Map of the said Town deposited in the Survey Office for Crown Lands at Dunedin excepting that part of the said area transferred to and vested in the Oamaru Dock Trust by and under the Oamaru Dock Trust Ordinance 1869.

Reserve for Public Gardens— All that area in the Province of Otago containing by admeasurement 34 acres more or less situate in the Town of Oamaru and marked “Reserve for Public Gardens” as delineated on the Record Map of the said Town deposited in the Survey Office for Crown Lands at Dunedin.

Reserve for Market— All that area in the Province of Otago containing by admeasurement 1 acre 21 poles more or less situate in the Town of Oamaru being Sections numbered respectively 6, 7, 8, and 9 Block XXV on the Map of the said Town deposited in the Survey Office for Crown Lands at Dunedin.

Reserve for Slaughter-house— All that area in the Province of Otago containing by admeasurement 1 acre and 21 poles more or less situate in the Town of Oamaru being sections numbered respectively 20, 21, 22, 23, and 24 Block XIV on the Map the said Town deposited in the Survey Office for Crown Lands at Dunedin.

Reserves for Health and Public Recreation being unsectionized portions of the Town of Oamaru— All that are in the Town of Oamaru containing by admeasurement 61 acres and 17 poles more or less and marked “A” on the Record Map of the said Town deposited in the Survey Office for Crown Lands at Dunedin. Also,

All that area in the Town of Oamaru containing by admeasurement 7 acres 3 roods and 2 poles more or less and marked “B” on the Record Map of the said Town deposited as aforesaid. Also,

All that area in the Town of Oamaru containing by admeasurement 19 acres and 3 poles more or less and marked “C” on the Record Map of the said Town deposited as aforesaid. Also,

All that area in the Town of Oamaru containing by admeasurement 94 acres 3 roods and 21 poles more or less and marked “D” on the Record Map of the said Town deposited as aforesaid excepting therefrom that portion of the said area extending to 8 acres 2 roods and 32 poles more or less specially set apart and applied for the rise of the Oamaru Hospital. Also,

All that area in the Town of Oamaru containing by admeasurement 33 acres 1 rood and 18 poles more or less and marked “E” on the Record Map of the said Town deposited as aforesaid. And also,

All that area in the Town of Oamaru containing by admeasurement 55 acres 2 roods and 36 poles more or less and marked “F” on the Record Map of the said Town deposited as aforesaid.

Schedule 2

Reserve for Hospital— All those several parcels or sections of land in the Town of Oamaru each containing by admeasurement one quarter of an acre more or less numbered respectively 10, 11, 12, 14, 16, 17,

and 18 Block XIX on the Record Map of the said Town deposited in the Survey Office for Crown Lands at Dunedin.