

New Zealand.



ANALYSIS.

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1908, No. 41.—*Local.*

Title. AN ACT to enable the Body Corporate known as “The Chairman, Councillors, and Inhabitants of the County of Whakatane” to reclaim from the Sea a certain Portion of the Whakatane Harbour. [10th October, 1908.]

Preamble. WHEREAS all that piece or parcel of land situate at the Township of Whakatane, on the Whakatane River, in the County of Whakatane, containing forty-nine acres two roods, more or less, commencing at the north-western corner of Section No. 296, Parish of Waimana, and bounded as follows—towards the west by lines one thousand and ninety-six, five hundred and forty-six, three hundred, four hundred and fifty-five, and one hundred and fifteen links; towards the north by low-water mark of Whakatane River; towards the east by lines eighty-three and six-tenths and four hundred and seventy-eight links; towards the south generally by high-water mark adjacent to traverse lines one thousand seven hundred and six, eight hundred and six and one-tenth, one thousand one hundred and thirty-five, four hundred and three and four-tenths, two hundred and eighty-two and eight-tenths, and six hundred and sixty and two-tenths links; thence by high-water mark and by part of line one thousand eight hundred and forty-four links, being part of the northern boundary of said Section 296, to the commencing-point: all in Block II, Whakatane Survey District: as the same is shown on the plan marked “M.D. 2981,” deposited in the office of the Marine Department, at Wellington, and thereon edged red and coloured green—is vested in His Majesty the King, such land being covered by the waters of the sea at high tide: And whereas part of the land adjoining such land as shown on the aforesaid plan is now vested in the body corporate known as “The Chairman, Councillors, and Inhabitants of the County of Whakatane”

as and for the purposes of a public road, but in parts is so narrow as to be inconvenient for traffic: And whereas the Whakatane County Council is desirous of being empowered to reclaim the land firstly hereinbefore referred to from the waters of the Whakatane River, and to have such land when so reclaimed vested in it for the purpose of extending and widening the aforesaid road, and of laying off other roads across such reclaimed land, and of leasing the balance of the lands so reclaimed for the use and benefit of the Whakatane County in manner allowed by law:

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

1. This Act may be cited as the Whakatane Foreshore Reclamation Act, 1908. Short Title.

2. Subject to the provisions of section one hundred and fifty of the Harbours Act, 1908, it shall be lawful for the Whakatane County Council from time to time, in such parts and subdivisions as it thinks fit, to reclaim from the sea the land hereinbefore described at the Township of Whakatane. It shall be lawful for the Governor in Council, in the name and on behalf of His Majesty, from time to time to grant to the Council such portions of the aforesaid land as are from time to time reclaimed from the sea. The Council may widen the aforesaid road abutting thereon so that it shall have a minimum width of one chain, and may lay out and construct such other roads, streets, and drains on and through the lands reclaimed as the Council may from time to time consider desirable, and may subdivide the remainder of the reclaimed land in such manner as the Council from time to time thinks proper, and may lease and otherwise deal with such subdivisions in such manner and with such powers as are conferred on leasing authorities, subject to the provisions of the Public Bodies' Leasing-powers Act, 1908; provided that the aforesaid streets or roads shall not, without the consent of the Minister of Marine, be more than ninety-nine feet nor less than sixty-six feet in width. Disposal of land reclaimed from the sea.

3. The rents and profits which may arise from the lease of any lands so reclaimed as aforesaid shall form part of the County Fund, and shall be applied in manner provided by the Counties Act, 1908. Rents and profits.