

107, and advertised in the *Hawke's Bay Herald-Tribune*, of 24 February 1964. The above-mentioned aero club is a local authority within the meaning of the Local Authorities Empowering (Aviation Encouragement) Act 1929.

Upon reading the appeal of Moengaroa Foley, and Teuira Kamau, and Whakaiti Rangi Karaitiana Kamau for an Order setting aside the notice dated the 2nd day of October 1963, and published in the *Gazette* on 30 January 1964, No. 4, page 107, providing for a height restriction in the vicinity of Bridge Pa Aerodrome; and upon reading the reply of the Hawke's Bay and East Coast Aero Club Incorporated; and upon hearing Mr Donovan for the appellants and Mr Bloomer for the respondent.

It is ordered that by consent the said notice shall be varied to read as set out in the Schedule attached hereto.

SCHEDULE

Notice of height restrictions in vicinity of Bridge Pa Aerodrome as varied by decision of the Town and Country Planning Appeal Board sitting at Napier on the 24th day of June 1964.

In the matter of the Public Works Amendment Act 1956, and in the matter of Bridge Pa Aerodrome in the Hawke's Bay Land District, whereas it is desirable, in the interest of safety, that restrictions be placed over certain lands in the vicinity of Bridge Pa Aerodrome, and whereas the consent in writing of the Minister of Civil Aviation has been obtained, now therefore the Hawke's Bay and East Coast Aero Club Incorporated, pursuant to section 4 of the Public Works Amendment Act 1935 as amended by section 8 of the Public Works Amendment Act 1956, hereby gives notice that for the purpose of making Bridge Pa Aerodrome safe for aviation purposes it prohibits, without the consent of the Minister in Charge of Civil Aviation:

1. The erection of, or placing, or extension beyond the height of fifteen (15) ft above the threshold level of the ground at the southern end of the aerodrome runway of any building, pole, mast, or other structure of any kind or the growing of any tree above the height of 15 ft on the land described in the First Schedule hereto.

2. The erection of, or placing, or extension beyond the height of twenty-five (25) ft above the threshold level of the ground at the southern end of the aerodrome runway of any building, pole, mast, or other structure of any kind or the growing of any tree above the height of 25 ft on the land described in the Second Schedule hereto.

3. The erection of, or placing, or extension beyond the height of fifty (50) ft above the threshold level of the ground at the southern end of the aerodrome runway of any building, pole, mast, or other structure of any kind or the growing of any tree above the height of 50 ft on the land described in the Third Schedule hereto.

4. The erection of, or placing, or extension beyond the height of seventy-five (75) ft above the threshold level of the ground at the southern end of the aerodrome runway of any building, pole, mast, or other structure of any kind or the growing of any tree above the height of 75 ft on the land described in the Fourth Schedule hereto.

5. The erection of, or placing, or extension beyond the height of ten (10) ft above the threshold level of the ground at the southern end of the aerodrome runway of any building, pole, mast, or other structure of any kind or the growing of any tree above the height of 10 ft on the land described in the Fifth Schedule hereto.

Survey Office plans in respect of the lands hereinafter described are held at the Survey Office, Napier, and at the Department of Civil Aviation, Wellington.

FIRST SCHEDULE

HEIGHT limited to 15 ft in the case of the following lands, which lands are more particularly shown coloured orange on Survey Office Plan No. 5289:

1. All that fee simple land containing 1 acre 18·9 perches, and being parts Lots 2 and 3, Deposited Plan No. 10361, and part of the land in certificate of title, H.B. 72/126, and registered in the name of the Church of Jesus Christ of Latter Day Saints Trust Board.

2. All that fee simple land containing 1 rood 12 perches, being lot 1, on Deposited Plan No. 10361, and part of the land in certificate of title, H.B. 72/126, and vested in the Queen as Crown land.

3. All that fee simple land containing 2 acres 2 roods 21·9 perches, being Lots 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, and 16, on Deposited Plan No. 8287, being portion of the land in certificate of title, H.B. 135/84, and vested in the Queen for the purposes of the Maori Housing Act 1935.

4. All that fee simple land containing 2 acres and 20·4 perches, being a portion of Lot 1, on Deposited Plan No. 4790, being part of the Te Awa Ote Atua No. 5 Block, and part of certificate of title, A2/441. Registered proprietors: Moengaroa Foley and Teuira Kamau; and which land is also part of certificate of title, H.B. 36/88. Registered proprietor: Whakaiti Rangi Karaitiana Kamau.

5. All that fee simple land containing 32·2 perches, being Lot 8, on Deposited Plan No. 8287; all certificate of title, H.B. 166/182. Registered proprietors: Tamarehe Wainohu and Artemesia Wainohu; and mortgagee, the Queen.

6. All that fee simple land containing 6·2 perches, and being part of Lot 20, on Deposited Plan No. 8287, and part of the land formerly certificate of title, A1/1340, and now being recreation reserve. Registered proprietor: The Chairman, the Councillors, and Inhabitants of the County of Hawke's Bay.

SECOND SCHEDULE

HEIGHT limited to 25 ft in the case of the following lands, which lands are more particularly shown coloured blue on Survey Office Plans Nos. 3583 and 5289:

1. All that fee simple land containing 3 roods 12 perches, being lots 17, 18, 23, and 24, on Deposited Plan No. 8287, and being part of certificate of title, H.B. 135/84. Registered proprietor: The Queen.

2. All that fee simple land containing 7 acres and 23 perches, being a portion of Lot 1, on Deposited Plan No. 4790, being part of the Te Awa Ote Atua No. 5 Block, and part of certificate of title, A2/441. Registered proprietors: Moengaroa Foley and Teuira Kamau; and which said land is also part of certificate of title, H.B. 36/88. Registered proprietor: Whakaiti Rangi Karaitiana.

3. All that fee simple land containing 22 acres 1 rood 16·6 perches, being part of the Te Awa Ote Atua No. 6 Block, and part of Lot 4, on Deposited Plan No. 4790, and part of certificate of title, 7/18. Registered proprietor: The Maori Trustee.

4. All that fee simple land containing 30·4 perches, and being formerly part of the Te Awa Ote Atua No. 7 Block, and part of the land in certificate of title, A2/1371. Registered proprietors: Wiripene Nikera and others.

5. All that fee simple land containing 5 perches, and being part Lot 20, on Deposited Plan No. 8287, being part of certificate of title, A1/1340, registered in the name of the Chairman, Councillors, and Inhabitants of the County of Hawke's Bay.

THIRD SCHEDULE

HEIGHT limited to 50 ft in the case of the following lands, which lands are more particularly shown coloured green on Survey Office Plans Nos. 3583 and 5289:

1. All that fee simple land containing 1 rood 12·8 perches, being Lot 5, on Deposited Plan No. 6885, and being all the land in certificate of title, H.B. 164/68. Registered proprietor: Rawinia Kamau.

2. All that fee simple land being known as Te Awa Ote Atua 7b 1 Block, containing 1 rood, and being part of the land in certificate of title, A2/11371, and owned by Rewi David Kawana and Hine Kawana jointly. Mortgagee: The Queen.

3. All that portion of Maori land owned in fee simple containing 4 acres 3 roods 12·6 perches, being known as Te Awa Ote Atua No. 7 Block (after excluding therefrom that land now known as Te Awa Ote Atua 7b 1 Block, as aforesaid), and part of the land in certificate of title, A2/1371. Registered proprietor: Wiripene Nikera and others.

4. All that fee simple land containing 1 rood 24·7 perches, being Lots 22 and 19, on Deposited Plan No. 8287, and being part certificate of title, H.B. 135/84. Registered proprietor: The Queen, for Maori housing.

5. All that land in fee simple containing 1 acre 2 roods 21·2 perches, being part Lot 20, on Deposited Plan No. 8287, and part certificate of title, A1/1340. Registered proprietor: The Chairman, Councillors, and Inhabitants of the County of Hawke's Bay.

FOURTH SCHEDULE

HEIGHT limited to 75 ft in the case of the following lands, which lands are more particularly shown coloured red on Survey Office Plan No. 3583.

1. All that fee simple land containing 8 acres 1 rood 11 perches, being part Lot 1, on Deposited Plan No. 4790, being part of the Te Awa Ote Atua No. 5. Block, and all Lot 2, on Deposited Plan No. 6885, and that part of certificate of title, A2/441. Registered proprietors: Whakaiti Rangi Karaitiana Kamau, Moengaroa Foley, and Teuira Kamau.

2. All that fee simple land containing 1 rood and 16·4 perches, being Lot 1, on Deposited Plan No. 6885, and being all certificate of title, H.B. 110/271. Registered proprietor: Rakaipaka Puriri.

3. All that fee simple land containing 1 rood 16·2 perches, being Lot 3, on Deposited Plan No. 6885, and being all certificate of title, H.B. 110/270. Registered proprietor: James Puriri. Mortgagee: The Queen, for Maori housing.

4. All that fee simple land containing 38·2 perches, being Lot 4, on Deposited Plan No. 6885, and being all certificate of title, H.B. 110/272. Registered proprietor: Ka Tipoki.

5. All that fee simple land containing 1 acre 1 rood 22 perches, known as Korongata 1A Block (plan 727), and all the land in certificate of title, A2/1367. Owners: Paora Nioi (and two others, both deceased).

6. All that fee simple land containing 1 acre 1 rood 22 perches, known as Korongata 1B Block, and all the land in certificate of title, A2/1368. Registered proprietor: Anaru Puriri and others.

7. All that fee simple land containing 3 roods 28 perches, known as Korongata 1C Block, and all the land in certificate of title, A2/1369. Registered proprietors: Hoani Maki and Piripi Maki.

8. All that fee simple land containing 3 acres 2 roods 33 perches, being the land known as Korongata 2 Block (plan 727), and being all the land in certificate of title, A2/1370. Registered owners: Hera Te Rori and others.

FIFTH SCHEDULE

HEIGHT limited to 10 ft in the case of the following lands, which lands are more particularly shown coloured sepia on Survey Office Plan No. 5289:

1. All that fee simple land containing 2 roods 2·3 perches, and being parts of Lots 2 and 3, on Deposited Plan No. 10361, and being part of the land in certificate of title, H.B. 72/126, and registered in the name of the Church of Jesus Christ of Latter Day Saints Trust Board.