

Dunedin Town Belt Roads Closing and Regulation Act 1902

Local Act 1902 No 7
Date of assent 13 September 1902

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**An Act to provide for the Closing of certain Roads in the Dunedin
Town Belt, and for regulating the Roads therein.**

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

1 Short Title

The Short Title of this Act is The Dunedin Town Belt Roads Closing and Regulation Act 1902.

2 Town Belt

The Town Belt is all that area in the City of Dunedin described in the Crown grant thereof dated the sixth day of November, one thousand eight hundred and sixty-five, now vested in the Corporation of the Mayor, Councillors, and Citizens of the

City of Dunedin, subject to deductions therefrom from time to time made by several Acts of Parliament.

3 Existing roads may be closed

From and after the making of a special order in that behalf by the City Council of Dunedin, which special order it is hereby empowered to make, the roads described in Schedule 1 to this Act shall cease to be highways, and the soil thereof shall thereafter be and remain subject to all rights and laws to which the Town Belt is subject: Provided that such special order shall not be made until a bridge shall have been constructed and opened for traffic from George Street across the Water of Leith.

This section was amended, as from 21 December 1984, by section 3(2) Dunedin Town Belt Roads Closing and Regulation Amendment Act 1984 (1984 No 2(L)) by substituting the words "Schedule 1 to this Act" for the words "Schedule hereto".

4 New roads may be made

It shall be lawful for the Council of the City of Dunedin, subject, however, to the provisions hereinafter contained, to create and dedicate highways through the Town Belt, in addition to or in substitution for such as already exist, and to change the course of any highway within the Town Belt, in such manner and to such extent as to it may seem best; and as to any existing highway, or any such as may be hereafter created and dedicated, and any part thereof, to define the limits thereof, and to declare or change the purpose or purposes for which the same may be used; and to declare and regulate the rule of the road, and the traffic, upon any roads in the Town Belt, whether highways or not, notwithstanding any enactment or law to the contrary: Provided that any such highway shall be created and dedicated or defined, and the purpose thereof declared or changed, and the rule of the road and the traffic declared and regulated on any road or roads by special order only: Provided further that nothing in this section of this Act contained shall be deemed to make a highway of any existing road which is not already a highway, or to enable the Council to stop any highway without providing the public with an equally convenient substitute: Provided further that no road which has been constructed and is maintained by the

joint contributions of the city and any suburban borough shall be stopped under the provisions of this section without the consent of the Council of the contributing borough.

5 But not in Botanic Gardens

It shall not be lawful for the said City Council to make any public road or highway in, through, or over that part of the Town Belt which is known as the Botanic Gardens, and which is now planted as a garden.

Provided that this section shall not apply in respect of the land described in Schedule 2 to this Act.

The proviso was inserted, as from 21 December 1984, by section 3 Dunedin Town Belt Roads Closing and Regulation Amendment Act 1984 (1984 No 2(L)).

Schedule 1

The Schedule heading was amended, as from 21 December 1984, by section 3(1) Dunedin Town Belt Roads Closing and Regulation Amendment Act 1984 (1984 No 2(L)) by substituting the words "SCHEDULE 1" for the word "SCHEDULE".

FIRST: All that area of land in the City of Dunedin, in the Land District of Otago, Colony of New Zealand, containing by admeasurement 1 rood and 4 perches. Bounded towards the north-east by a line commencing at a point distant from the most southern corner of Section 117, North-east Valley District, 68 links, bearing $229^{\circ} 43'$, and 476.3 links, bearing $236^{\circ} 8'$, and proceeding thence along lines bearing $334^{\circ} 10'$ north-west, 113.6 links; $318^{\circ} 50'$ north-west, 297.9 links; $312^{\circ} 14'$ north-west, 158.6 links; $201^{\circ} 6'$ north-west, 260.5 links; $287^{\circ} 13'$ north-west, 49.5 links: thence towards the north by a line bearing $270^{\circ} 14'$ north-west, 102.6 links: thence towards the south-west by lines bearing $107^{\circ} 13'$ south-east, 143.9 links; $121^{\circ} 6'$ south-east, 253.9 links; $132^{\circ} 14'$ south-east, 154 links; $138^{\circ} 50'$ south-east, 292.3 links; $154^{\circ} 10'$ south-east, 110 links: and thence towards the south-east by a line bearing 63° north-east, 30 links, to the commencing-point: be the aforesaid area, bearings, and linkages a little more or less.

Second: All that area, being portion of road-line 100 links wide, shown on the original Crown grant of the Town Belt to the Super-

intendent of Otago, dated the 6th day of November, 1865, and also shown on plan attached to the grant of the Town Belt from Her late Majesty Queen Victoria to the Corporation of the Mayor, Councilors, and Citizens of the City of Dunedin, dated the 15th October, 1878, and extending from the present North-east Valley Main Road to road-line 60 links wide running between Town Belt and Section 117, North-east Valley District.

Schedule 2

Section 5

This Schedule was inserted, as from 21 December 1984, by section 4 Dunedin Town Belt Roads Closing and Regulation Amendment Act 1984 (1984 No 2(L)).

1

All that piece of land containing 1108 square metres, more or less, being part Town Belt, Town of Dunedin, and shown marked A on SO plan 21043 lodged in the office of the Chief Surveyor at Dunedin.

2

All that piece of land containing 227 square metres, more or less, being part closed street, Town of Dunedin, and shown marked B on SO plan 21043 lodged in the office of the Chief Surveyor at Dunedin.

3

All that piece of land containing 104 square metres, more or less, being part Town Belt, Town of Dunedin, and shown marked C on SO plan 21043 lodged in the office of the Chief Surveyor at Dunedin.