

**Reprint
as at 21 December 1933**



**Whakatane Harbour Board
Vesting Act 1933**

Local Act 1933 No 13
Date of assent 20 December 1933
Commencement 20 December 1933

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**An Act to vest certain land and part of the foreshore and certain
mud flats within the harbour of Whakatane in the Whakatane
Harbour Board**

1 Short Title

This Act may be cited as the Whakatane Harbour Board Vesting Act 1933.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

2 Act deemed to be a special Act

This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1923 and shall be read and construed along with the Whakatane Harbour Act 1921–22.

3 Vesting lands in Board

On the passing of this Act the lands described in the Schedule shall vest in and be the property of the Whakatane Harbour Board as endowment lands:

provided that nothing herein shall interfere with the riparian rights of His Majesty or of any other person as they existed prior to the passing of the Whakatane Harbour Act 1921–22.

Schedule

- 1 All that area or portion of land in the Auckland Land District, containing approximately 14 acres 2 roods, more or less, being a portion of the Whakatane Harbour below mean high-water mark, and several rocks and islands located therein, situated in Block II, Whakatane Survey District; bounded as follows: commencing at the north-eastern corner of the existing wharf, following along lines on the following approximate bearings and distances— $79^{\circ}45'$ for 460 links, to rock training wall; thence along said wall, $66^{\circ}45'$ for 180 links, $59^{\circ}45'$ for 195 links, 53° for 135 links, $46^{\circ}50'$ for 275 links, 37° for 180 links, to Irakewa Island; along the north-western end of Irakewa Island to its northernmost point; thence on the approximate bearing of $36^{\circ}45'$, for a distance of 590 links, along rock training wall, to Flat Rock, around the north-western face of Flat Rock to its northernmost end; thence along rock training wall on lines of approximate bearings and distances— $39^{\circ}45'$ for 230 links, $31^{\circ}30'$ for 150 links, 24° for 215 links, to Heads Rock; along western side said rock, 358° for 60 links; thence $20^{\circ}30'$ for 500 links, and 92° for 340 links, to mean high-water mark as defined by plan 23680, blue; thence in a south-westerly direction by that mean high-water mark to and by mean high-water mark as defined by DP 20477 to the south-western corner of the 10 link reserve on said plan; thence along roadside as defined by plan 9352, red, to the north-eastern corner of Section 3 of 260C (plan 9849, red); thence in a westerly direction along the line of mean high-water mark as defined by plan 23680, blue, to and by the eastern boundary of Section 7, Block II, Whakatane Survey District; and by the existing wharf to the point of commencement.
- 2 All that area or portion of land in the Auckland Land District, containing approximately 1 acre 1 rood 15 perches, more or less, being a portion of the Whakatane Harbour below mean high-water mark, situated in Block II, Whakatane Survey District; bounded as follows: on the south by mean high-water mark as defined by plans 22594, blue, and LT 13036; on the west by the old wharf; and on the east by the new wharf; and on the north by lines from the old to the new wharf on the

bearings and distances approximately as follows— 84° for 110 links, 75° for 315 links, and $86^\circ 30'$ for 570 links.

- 3 All that area or portion of land in the Auckland Land District, containing approximately 40 acres, more or less, being portions of the Whakatane Harbour above and below mean high-water mark, situated in Block II, Whakatane Survey District; bounded as follows: on the south from the south-western corner of Section 1A, Town of Whakatane, being a point on the northern boundary of Section 378, Parish of Waimana (plan 19435, blue), along the northern boundary of the last-mentioned section and of Section 296, Parish of Waimana (plan 14086, LT), to the north-western corner of Section 296; thence in a northerly direction along the eastern boundary of Sections 298 and 297 of the aforesaid Parish (LT plan 16278) to the south-eastern corner of Section 9, Block II, Whakatane Survey District (Recreation Reserve), (plan 22984, blue); thence along the eastern boundary of said reserve to its north-eastern corner; thence in a northerly direction on the approximate bearings of $3^\circ 25'$ for a distance of 155 links; thence south-easterly along lines on approximate bearings and distances $108^\circ 45'$ for 1 515 links, to northern point, Bath Rock; and thence $93^\circ 15'$ for 850 links, to the north-western corner of the old wharf; thence south by the old wharf and by mean high-water mark to the northern boundary of Section 30, Block II, Whakatane Survey District (plan 24572, blue); thence along the northern and north-western and south-western boundaries of the said Section 30, Block II, Whakatane Survey District, to and by the Strand, and by the street called Commerce Street (plan 22728, blue) and by Section 1A, Town of Whakatane, to the point of commencement.
- 4 All that area or portion of land in the Auckland Land District, containing approximately 82 acres, more or less, being a portion of the Whakatane Harbour below mean high-water mark and 2 small islands, situated in Block II, Whakatane Survey District; bounded as follows: commencing at the south-western corner of Section 6, Block II, Whakatane Survey District, thence along mean high-water mark in a south-westerly direction, along the south of Sections 27 and 28B 2E, Rangitaiki Parish (plan 23680, blue), to a point opposite iron pipe XIV

on said plan 23680, blue, being the westernmost extremity of the line of rock groyne; thence in a south-easterly direction along the line of rock groyne bearing $128^{\circ}28'$ to and by mean high-water mark as defined by plan 23680, blue, around the west, north, and east of Island A to a point opposite peg XIX; thence by a line along rock groyne approximately $96^{\circ}48'$ to and by the north-west, north, and north-east and south of the Island B as defined by mean high-water mark on plan 23680, blue, to a point opposite peg XVIII on said plan; thence by lines on the following approximate bearings and distances along rock groyne 124° for 320 links; thence $70^{\circ}30'$ for 460 links, to end of rock and fascine training wall; thence along training wall $86^{\circ}15'$ for 440 links, $83^{\circ}45'$ for 350 links, 79° for 490 links, $76^{\circ}30'$ for 460 links, $71^{\circ}45'$ for 245 links, $64^{\circ}30'$ for 305 links, $59^{\circ}45'$ for 160 links, $53^{\circ}30'$ for 140 links, 43° for 160 links, $35^{\circ}45'$ for 130 links, to end of fascine training wall; thence $47^{\circ}15'$ for 700 links, to the south-eastern extremity of Section 6, Block II, Whakatane Survey District; thence westerly along mean high-water mark on the southern side of the said Section 6, Block II, Whakatane Survey District, to the point of commencement.

As the same are shown edged pink on plan marked MD 7179, and deposited in the office of the Marine Department at Wellington, and therein marked respectively E, F, G, and H.

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Notes

1 *General*

This is a reprint of the Whakatane Harbour Board Vesting Act 1933. The reprint incorporates all the amendments to the Act as at 21 December 1933, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
