

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 9 August 1967.

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line of struck out matter; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line of new matter.

Mr Douglas

AUCKLAND HARBOUR BOARD (RECLAMATIONS) EMPOWERING

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to authorise the Auckland Harbour Board to reclaim from the sea certain tidal lands in the Waitemata and Manukau Harbours and to develop such reclaimed land and other lands for industrial, commercial, and other purposes

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

10 **1. Short Title**—This Act may be cited as the Auckland Harbour Board (Reclamations) Empowering Act 1967.

No. 39—2

Price 1s. 6d. (15c)

2. Interpretation—In this Act, unless the context otherwise requires,—

“Board” means the Auckland Harbour Board;

“Local authority” means a local authority within the meaning of that term in the Public Works Act 1928. 5

3. Special Act—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

4. Authority to reclaim—(1) Subject to the provisions of the Harbours Act 1950, and of this Act, but notwithstanding anything contained in subsection (3) of section 175 of the Harbours Act 1950, the Board may from time to time reclaim from the sea the areas described in the First Schedule to this Act or any part or parts thereof save and except the area described in section B of Part IV of that schedule. 10

(2) The Board may in respect of the reclamation of any such area or part thereof grant licences to, or enter into contracts with, any person or with any local authority having jurisdiction in the district adjoining any such area, for the construction of such reclamation and for the execution of all or any necessary works in connection therewith and upon such terms and conditions as the Board may think fit. 20

5. Authority to develop—(1) The Board is hereby empowered to develop from time to time for such industrial, commercial, or other purposes whatsoever as the Board may think fit, the areas described in the Second Schedule to this Act or any part or parts thereof and for such purposes may— 25

(a) Subdivide and resubdivide the same into allotments suitable for the purposes for which the same are to be developed subject however to the provisions of the Public Works Act 1928, the Municipal Corporations Act 1954 or Part II of the Counties Amendment Act 1961 applicable thereto: 30

(b) Construct or provide thereon such public works and amenities as may be deemed necessary or desirable for the use, convenience, and enjoyment of such land for such purposes, including— 35

(i) The vesting, creation, or provision of streets, service lanes, access-ways, rights of way, and other means of communication or access;

(ii) Services for water supply, drainage, sewerage, electric lighting, power, gas, and all other amenities; 40

(iii) All works necessary to comply with any lawful requirements of any local or public authority.

(2) The Board may by licence or contract permit any local authority having jurisdiction in the district adjoining
5 any land to be reclaimed or developed pursuant to this Act, to develop the same in lieu of or in conjunction with the Board whereupon without further or other authority than this subsection such local authority shall have and may
10 exercise, in addition to any other powers vested in it under any other Act, all the powers of development vested in the Board by this Act and such licence or contract may also provide for—

(a) The Board and the local authority to exchange land
15 and to pay and receive such sums of money or other consideration as may be agreed to for equality of exchange and any moneys so received shall form part of the general funds of the Board or the local authority as the case may be:

20 Provided that neither the Board nor any local authority shall enter into a licence or contract to exchange land as aforesaid except in pursuance of a special order or special resolution in that behalf:

(b) The local authority to make such provision as may
25 be agreed for access to the foreshore, the provision of boating facilities or other aquatic amenities and the maintenance and control thereof, liability for the termination of riparian rights, and such other matters as the Board and the local authority may
30 think fit.

6. Reclamation or development not to prejudice other powers and rights—(1) Nothing in this Act shall be construed as limiting—

(a) The powers of the Director-General of Health or other
35 proper officer of the Department of Health to make and issue directions and requisitions relating to materials to be used in any reclamation under the authority of this Act and method of construction, covering, protection, and maintenance of such
40 reclamation, or in respect of any other matter authorised in the Health Act 1956 or in any other Act:

(b) The application of the provisions of the Town and Country Planning Act 1953.

(2) Nothing in this Act shall entitle the Board, or any local authority, or other person to create a nuisance or shall deprive any person of any right or remedy he would otherwise have against the Board, local authority, or other person as the case may be, in respect of any such nuisance, or shall deprive any person of any right or remedy he would otherwise have in respect of any loss, detriment, damage, or injury, caused by any reclamation or development carried out under the authority of this Act whether to property or person and whether in respect of riparian rights, rights of access to or by water, or otherwise howsoever. 5 10

(3) The provisions of subsections (1) and (2) of this section shall not limit or prejudice any indemnity entered into by or between the Board, a local authority, or any other person in respect of the rights and liabilities set out therein. 15

7. Authority to lease or license—(1) The Board may during the reclamation or development of all or any part of the areas described in the Second Schedule to this Act grant licences in respect of the same to such persons and upon such terms and conditions as the Board may think fit. 20

(2) Upon the development of all or any of such areas the Board may lease the same for any term and upon such rent and conditions and with such rights of renewal as the Board may think fit.

(3) The Board may from time to time accept the surrender of, or vary the terms and conditions of any lease or licence granted pursuant to this section and upon such terms and conditions as the Board may think fit. 25

(4) Sections 5, 8, 9, and 10 of the Public Bodies Leases Act 1908 shall not apply to any leases granted by the Board pursuant to this section and any other provisions of that Act or of any other Act which are inconsistent with the provisions of this section shall be deemed modified to the extent of that inconsistency. 30

(5) Any local authority may take and execute any lease or licence granted by the Board pursuant to this section or any variation or surrender thereof without further or other authority than this subsection. 35

8. Validation and empowering of certain reclamation by the Onchunga Borough Council—Subject always to compliance with the provisions of the Harbours Act 1950, the reclamation by the Onchunga Borough Council of the area described in section B of Part IV of the First Schedule to this Act is hereby declared to be and to have always been 40

lawful, and the Council is hereby empowered to reclaim or complete the reclamation of such area.

5 **9. Local authority boundaries**—(1) Upon the completion of the reclamation of any area within the land described in the Second Schedule to this Act or any part or parts thereof, and whether such areas are reclaimed under the authority of this Act or under any other authority, such reclaimed land shall *(be deemed to be within the boundaries of the district of the local authority adjoining)*.

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New

without further or other authority than this section be included within the district of the adjoining local authority and any such alteration of boundaries shall be deemed to have been effected pursuant to the Municipal Corporations Act 1954, or the Counties Act 1956, as the case may be.

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Struck Out

(2) Such altered boundaries may from time to time and without further authority or procedure be defined by notice in the *Gazette* under the hand of the Secretary for Internal Affairs.

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New

(2) Without in any way limiting the effect of subsection (1) of this section, such altered boundary or boundaries shall from time to time on written application on behalf of the local authority affected and without further authority or procedure be formally recorded by notice in the *Gazette* under the hand of the Secretary for Internal Affairs.

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30 **10. Cancellation of trusts and reservations**—All trusts, reservations, and restrictions upon or affecting any area or part thereof described in the First or Second Schedules to this Act and whether pursuant to any Act, or any deed, trust, or conveyance or otherwise howsoever, are hereby deemed to be cancelled.

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35 **11. Powers of District Land Registrar**—The District Land Registrar for the North Auckland Land Registration District is hereby authorised and directed to deposit all such plans, issue all such certificates of title, accept all such documents for registration, make all such entries in the register, and do all such other things as may be necessary to give effect to the provisions of this Act.

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6 *Auckland Harbour Board (Reclamations)*
 Empowering

SCHEDULES

FIRST SCHEDULE

AREAS TO BE RECLAIMED

PART I

Devonport—Ngataranga Bay

ALL that area containing by admeasurement 31 acres 2 roods 16 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland bounded by a line commencing at a point being the south-eastern corner of Wesley Street where it meets mean high-water mark; thence proceeding in a south-easterly direction on a bearing of $136^{\circ} 08' 20''$ for a distance of 2119.37 links, more or less, to a point where it meets the western end of the northern boundary of the area shown on a plan marked and numbered M.D. 11953 and deposited in the office of the Marine Department, Wellington; thence following the northern boundary of the area on bearing of $59^{\circ} 43' 05''$ for a distance of 1278.85 links, more or less, to a point where it meets Lake Road; thence following the western boundary of Lake Road in a north-westerly direction to a point where it meets mean high-water mark; thence following mean high-water mark in a westerly direction to the point of commencement and being part of the land situated below mean high-water mark in the harbour of Auckland and part of the land in certificate of title, Volume 355, folio 147 (limited as to parcels), North Auckland Registry, and being an area shown edged red on the plan marked and numbered M.D. 12569 and deposited in the office of the Marine Department, Wellington.

PART II

Takapuna—Barry's Point Area

ALL that area containing by admeasurement 101 acres 2 roods 33 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and being, firstly, an area containing 56 acres 2 roods 35 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and bounded by a line commencing at the intersection of the Auckland-Albany Motorway with the Northcote-Albany Motorway and proceeding in a north-easterly direction, firstly, on a bearing of $55^{\circ} 49' 40''$ for a distance of 1689.45 links, and secondly, on a bearing of $23^{\circ} 44'$ for a distance of 610.25 links being on the northern boundary of the Northcote-Albany Motorway and a public road to a point where it intersects mean high-water mark on the western boundary of part Lot 36, D.P. 8038; thence following mean high-water mark generally northwards to a point where it meets the eastern end of the southern boundary of the area shown on a plan marked and numbered M.D. 11912 and deposited in the office of the Marine Department, Wellington; thence following the southern boundary of the area on a bearing of $304^{\circ} 00'$ for a distance of 1660 links, more or less, to a point on mean high-water mark; thence following mean high-water mark generally southwards

FIRST SCHEDULE—*continued*

and westwards to a point where it meets the eastern boundary of the Auckland-Albany Motorway; thence following the south-western and the north-eastern boundaries of the Auckland-Albany Motorway in a generally north-westerly and south-easterly direction to the point of commencement: and secondly, all that area containing by admeasurement 34 acres 3 roods 2 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and bounded by a line commencing at the south-eastern corner of part Lot 2, D.P. 48604, and being a point on the north boundary of the Northcote-Albany Motorway and a point on mean high-water mark; thence following mean high-water mark generally northwards to a point where it meets the western end of the southern boundary of the area shown on a plan marked and numbered M.D. 12059 and deposited in the office of the Marine Department, Wellington; thence following the southern boundary of the area on a bearing of $75^{\circ} 28'$ for a distance of 112 links; thence following the eastern boundary of the area in a northerly direction; thence following the northern boundary of the area on a bearing of $262^{\circ} 23'$ for a distance of 112 links to a point where it meets mean high-water mark; thence following mean high-water mark generally northwards to a point where it meets the western end of the southern boundary of the area shown on a plan marked and numbered M.D. 11884 and deposited in the office of the Marine Department, Wellington; thence following the southern boundary of the area on a bearing of $75^{\circ} 25'$ for a distance of 115 links; thence following the eastern boundary of the area in a northerly direction for a distance of 76 links; thence following part of the northern boundary of the area in a westerly direction for a distance of 68 links to a point where it meets the eastern end of the southern boundary of the area shown on a plan marked and numbered M.D. 11773 and deposited in the office of the Marine Department, Wellington; thence proceeding in a northerly direction on the eastern boundary of the area for a distance of 76 links; thence following the northern boundary of the area on a bearing of $255^{\circ} 24' 40''$ for a distance of 92 links to meet mean high-water mark; thence following mean high-water mark in a westerly and northerly direction to a point where it meets the southernmost extremity of part Lot 80, D.P. 2510; thence proceeding on a bearing of $3^{\circ} 35'$ for a distance of 137.6 links, more or less; thence proceeding on a bearing of $342^{\circ} 49'$ for a distance of 191.3 links, more or less; thence proceeding on a bearing of $322^{\circ} 20'$ for a distance of 80.3 links, more or less, to a point on mean high-water mark; thence proceeding in an easterly and south-easterly direction following mean high-water mark to a point where it meets the northern end of the western boundary of the area shown on a plan marked and numbered M.D. 11604 and deposited in the office of the Marine Department, Wellington; thence following the western boundary of the area on a bearing of $147^{\circ} 13'$ for a distance of 207.98 links to meet mean high-water mark; thence following mean high-water mark generally southwards and westwards to a point where it meets a line on a bearing of $260^{\circ} 04' 40''$ and distance of 653.86 links from the south-east corner of Lot 2, D.P. 48604; thence along that line to the point of commencement; and thirdly, all that area

FIRST SCHEDULE—*continued*

containing by admeasurement 10 acres and 36 perches being land situated below mean high-water mark in the harbour of Auckland and bounded by a line commencing at the south-western corner of Lot 2, D.P. 53361 and being a point on mean high-water mark; thence following mean high-water mark in a westerly and southerly direction to a point where it meets the western end of the southern boundary of Francis Street; thence proceeding in a north-westerly direction on a bearing of $302^{\circ} 20' 30''$ for a distance of 80 links, more or less; thence proceeding in a northerly direction on a bearing of $349^{\circ} 00'$ to a point where it meets mean high-water mark; thence following mean high-water mark in a northerly and easterly direction to a point where it meets the northernmost extremity of the area shown on a plan marked and numbered M.D. 11604 and deposited in the office of the Marine Department, Wellington; thence following the northern boundary of the area in a westerly direction on a bearing of $236^{\circ} 46'$ for a distance of 25 links; thence following the western boundary of the area in a southerly direction, firstly, on a bearing of $154^{\circ} 17'$ for a distance of 272.3 links, secondly, on a bearing of $123^{\circ} 46'$ for a distance of 60.46 links, and thirdly, on a bearing of $147^{\circ} 21'$ for a distance of 112 links to the point of commencement: all the said parcels being part of the land situated below mean high-water mark in the harbour of Auckland and part of the land in certificate of title, Volume 355, folio 147 (limited as to parcels) North Auckland Registry and being areas shown edged red on the plan marked and numbered M.D. 12571 and deposited in the office of the Marine Department, Wellington.

PART III

Onehunga—Area East of Mangere Bridge

ALL that area containing by admeasurement 8 acres 1 rood 11 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at the south-west corner of part Lot 1, D.P. 25356, and proceeding on a bearing of $272^{\circ} 30'$ to a point where it meets the eastern boundary of the land being the Onehunga Branch Line; thence proceeding in a north-easterly direction on a bearing of $36^{\circ} 16' 40''$ on the boundary of the Onehunga Branch Line to an angle in the boundary shown on S.O. Plan 3636; thence following the eastern boundary of the Onehunga Branch Line, firstly, by proceeding on a bearing of $27^{\circ} 16' 22''$ for a distance of 311.77 links, more or less; secondly, by proceeding on a bearing of $13^{\circ} 52' 14''$ for a distance of 322.51 links, more or less; thirdly, proceeding on a bearing of $357^{\circ} 58'$ for a distance of 297.98 links, more or less; fourthly, following a curved line of arc distance of 320 links, more or less; fifthly, by proceeding on a bearing of $337^{\circ} 29'$ for a distance of 1250 links, more or less; sixthly, by following a line generally in a north-westerly direction to a point where it meets mean high water springs; thence following mean high water springs in an easterly direction until it meets the western boundary of Galway Street; thence following the south-western and southern boundaries of Galway Street until it meets the

FIRST SCHEDULE—*continued*

north-western corner of part Lot 1, D.P. 25356; thence proceeding on a bearing of $173^{\circ} 59'$ for a distance of 2488.5 links, more or less; to the point of commencement and being part of the land situated below mean high water, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being an area shown edged red on the plan marked and numbered M.D. 12553 and deposited in the office of the Marine Department, Wellington; part of the land being comprised in Deeds Index 13A/231.

PART IV

Onehunga—Angle Street and Miami Parade Inlet

SECTION A—All that area containing by admeasurement 65 acres 2 roods 17 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at the easternmost point of the northern boundary of Lot 44, D.P. 19678, where this boundary meets mean high water springs; and proceeding on a bearing of $170^{\circ} 00'$ for a distance of 1030 links, more or less; thence proceeding on a bearing $260^{\circ} 00'$ for a distance of 1950 links, more or less; thence proceeding on a bearing of $265^{\circ} 00'$ for a distance of 3730 links, more or less; thence proceeding on a right line which meets mark XIV, D.P. 26531, to a point on mean high water springs; thence following mean high water springs generally eastwards to a point on a bearing of $87^{\circ} 20'$ for a distance of 43.2 links, more or less, from mark XIV, D.P. 26531; thence following the Onehunga Borough Boundary generally in a north-easterly direction, firstly, on a bearing of $87^{\circ} 20'$ for a distance of 199.82 links, more or less, to mark XVc, D.P. 26531; secondly, along a curved line on a radius of 151.44 links for an arc distance of 136.09 links, more or less, to mark XVe, D.P. 26531; thirdly, on a bearing of $35^{\circ} 51' 37''$ for a distance of 665.48 links, more or less, to mark XVIe, D.P. 26531; fourthly, along a curved line on a radius of 1228.05 links for an arc distance of 779.06 links, more or less, to mark XVIa, D.P. 26531; fifthly, along a curved line on a radius of 63.05 links for an arc distance of 35.49 links, more or less, to mark XVIy, D.P. 26531; sixthly, on a bearing of $39^{\circ} 57' 14''$ for a distance of 549.4 links, more or less, to mark XVIIa, D.P. 26531; and seventhly, on a bearing of $54^{\circ} 12'$ for a distance of 906.53 links, more or less, to a point on mean high water springs, this line produced for a distance of 20 links, more or less, would meet mark XIX, S.O. Plan 17225; thence following mean high water springs generally in an easterly direction until it meets the western boundary of Angle Street; thence following mean high water springs generally in a southerly direction along the western boundary of Angle Street until it meets the northern end of the western boundary of Miami Parade; thence proceeding on a bearing of $153^{\circ} 32'$ for a distance of 979.05 links, more or less; thence proceeding on a bearing of $146^{\circ} 55' 30''$ for a distance of 320.6 links, more or less; thence proceeding on a bearing of $89^{\circ} 04' 30''$ for a distance of 358.10 links, more or less; thence proceeding on a bearing of $93^{\circ} 31'$ for a distance of 406.21 links, more or less; thence proceeding on a bearing of $94^{\circ} 06'$ for a distance of 214.34 links, more or less; thence proceeding on a bearing of $25^{\circ} 10'$ for a distance of 207.42 links, more or less; thence proceeding on a bearing of

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Empowering

FIRST SCHEDULE—*continued*

351° 31' 30" for a distance of 89.07 links, more or less, to a point where it meets the southern end of the western boundary of the area shown on a plan marked and numbered M.D. 12178 and deposited in the office of the Marine Department, Wellington; thence following the southern, eastern, and northern boundaries of the land shown on M.D. 12178 to the north-western corner of the area; thence proceeding on a bearing of 351° 31' 30" for a distance of 22.53 links, more or less; thence proceeding on a bearing of 3° 40' for a distance of 173.34 links, more or less; thence proceeding on a bearing of 16° 14' for a distance of 150.53 links, more or less, to the point of commencement and being part of the land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being an area shown edged red on the plan marked and numbered M.D. 12572 and deposited in the office of the Marine Department, Wellington.

Section B—All that area containing by admeasurement 8 acres 1 rood 23 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at a point located on a bearing of 87° 20' at a distance of 43.2 links, more or less, from mark XIV, D.P. 26531; thence following the Onehunga Borough Boundary generally in a north-easterly direction, firstly, on a bearing of 87° 20' for a distance of 199.82 links, more or less, to mark XVc, D.P. 26531; secondly, by a curved line on a radius of 151.44 links for an arc distance of 136.09 links, more or less, to mark XVe, D.P. 26531; thirdly, on a bearing of 35° 51' 37" for a distance of 665.48 links, more or less, to mark XVIe, D.P. 26531; fourthly, by a curved line on a radius of 1228.05 links for an arc distance of 779.06 links, more or less, to mark XVIa, D.P. 26531; fifthly, by a curved line on a radius of 63.05 links for an arc distance of 35.49 links, more or less, to mark XVIy, D.P. 26531; sixthly, on a bearing of 39° 57' 14" for a distance of 549.4 links, more or less, to mark XVIIa, D.P. 26531; and seventhly, on a bearing of 54° 12' for a distance of 906.53 links, more or less, to a point on mean high water springs, this line produced for a distance of 20 links, more or less, would meet mark XIX, S.O. Plan 17225; thence following mean high water springs generally in a northerly, westerly, and south-westerly direction to the point of commencement and being part of the land situated below mean high water springs in the harbour of Manukau and being land vested in the Mayor, Councillors, and Citizens of the Borough of Onehunga and being the land comprised in certificates of title, Volume 5A, folio 1004, and Volume 684, folio 102, and being an area shown edged red on the plan marked and numbered M.D. 12572 and deposited in the office of the Marine Department, Wellington.

PART V

Manukau City—Kiwi Esplanade Extension

ALL that area containing by admeasurement 6 acres 2 roods 33 perches, more or less, being all the parcels edged red on a plan marked and numbered M.D. 12560 and deposited in the office of the Marine Department, Wellington; all the said parcels being land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911.

FIRST SCHEDULE—*continued*

PART VI

Waiuku—Area Adjoining Kentish Hotel

ALL that area containing by admeasurement 1 rood 35 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at the westernmost corner of Lot 10, D.P. 11645, and proceeding in a north-westerly direction on a bearing of $314^{\circ} 44'$ to meet mean high water springs; thence following mean high water springs in a north-easterly direction to meet the south-easterly extremity of King Street; thence proceeding on a bearing of $107^{\circ} 30'$ for a distance of 94 links, more or less; thence proceeding on a bearing of $131^{\circ} 30'$ for a distance of 24 links, more or less; thence proceeding on a bearing of $180^{\circ} 30'$ to mean high-water mark on the western boundary of Lot 10, D.P. 11645; thence following the western boundary of Lot 10 in a southerly direction to the point of commencement and being part of the land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being an area shown coloured yellow on a plan marked and numbered M.D. 12509 and deposited in the office of the Marine Department, Wellington.

PART VII

Auckland—Bastion Point, Tamaki Drive

ALL that area containing by admeasurement 1 acre 1 rood 5 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland bounded by a line commencing on the northern boundary of Tamaki Drive located on a bearing of $333^{\circ} 25'$ for a distance of 36.86 links from Iron Tube LXXXIII, S.O. Plan 25685; thence proceeding on a bearing of $235^{\circ} 28'$ for a distance of 110.38 links, more or less; thence proceeding on a bearing of $218^{\circ} 23'$ for a distance of 108.83 links, more or less; thence proceeding on a bearing of $208^{\circ} 45' 30''$ for a distance of 160.66 links, more or less; thence proceeding on a bearing of $220^{\circ} 24'$ for a distance of 65.16 links, more or less; thence proceeding on a bearing of $236^{\circ} 29' 30''$ for a distance of 65.02 links, more or less; thence proceeding on a bearing of $249^{\circ} 28'$ for a distance of 167.0 links, more or less, all being on the northern boundary of Tamaki Drive; thence proceeding in a northerly direction on a bearing of $352^{\circ} 00'$ for a distance of 224 links, more or less; thence proceeding in a north-easterly direction on a bearing of $51^{\circ} 30'$ to a point where it meets the western boundary of Section 7, Block IX, Rangitoto S.D.; thence following the western boundary of Section 7 in a southerly direction to a point where it meets the northern boundary of Tamaki Drive; thence proceeding on a bearing of $218^{\circ} 20'$ for a distance of 22.12 links on the north boundary of Tamaki Drive to the point of commencement and being part of the land situated below mean high-water mark in the harbour of Auckland and part of the land in certificate of title, Volume 55, folio 236, and being an area shown edged red on the plan marked and numbered M.D. 12570 and deposited in the office of the Marine Department, Wellington.

FIRST SCHEDULE—*continued*

PART VIII

Auckland—Whau Creek

ALL that area containing by admeasurement 4 acres 3 roods 36 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and being an area inside a line drawn in a south-westerly direction on a bearing of $247^{\circ} 26' 20''$ for a distance of 1160 links, more or less, from the extreme easterly point where the aforesaid line intersects the mean high-water mark at the intersection of the boundary line between Lot 4, D.P. 49405, and part Lot 2, D.P. 4254, with the said mean high-water mark; thence following a line in a generally southerly direction on a bearing of $191^{\circ} 04' 40''$ for a distance of 750 links, more or less; thence following a line in a generally north-easterly direction on a bearing of 50° for a distance of 320 links, more or less; thence following a line in a generally south-easterly direction on a bearing of 140° for a distance of 45.45 links, more or less; thence following a line in a generally south-westerly direction on a bearing of 230° for a distance of 376.3 links, more or less; thence following a right line in a generally southerly direction to a point where this line intersects the mean high-water mark at the intersection of the boundary between part Lot 2, D.P. 4254, and Lot 3, D.P. 4254, with the said mean high-water mark; thence following the mean high-water mark in a generally north-easterly direction to meet the point of commencement, and being part of the land below mean high-water mark, Auckland Harbour vested in the Auckland Harbour Board by the Auckland Harbour Development Act 1949, and being the area shown edged red on the plan marked and numbered M.D. 12529 and deposited in the office of the Marine Department, Wellington.

PART IX

Mangere—Harania Inlet

ALL that area containing by admeasurement 71 acres and 08 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau and being an area south of a line drawn in a south-easterly direction following the north face of the existing causeway across Harania Creek from a point where the western end of the north face of the said causeway intersects the mean high-water mark, spring tides, at Favona Road to a point where the eastern end of the north face of the said causeway intersects the mean high-water mark, spring tides, at Favona Road; thence following the mean high-water mark, spring tides, in a generally south-easterly direction and then north-westerly generally around the Harania Inlet to meet the commencing point, excluding, however, the area shown edged mauve and cross hatched on a plan marked and numbered M.D. 11079 and deposited in the office of the Marine Department, Wellington, and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being the area shown edged red on the plan marked and numbered M.D. 12568 and deposited in the office of the Marine Department, Wellington.

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Empowering

SECOND SCHEDULE

AREAS TO BE DEVELOPED

PART I

Devonport—Ngataringa Bay

ALL that area containing by admeasurement 38 acres 1 rood 22 perches, more or less, and being all that area containing by admeasurement 31 acres 2 roods 16 perches, edged red, shown on a plan marked and numbered M.D. 12569 and deposited in the office of the Marine Department, Wellington; together with all that area containing by admeasurement 4 acres 3 roods 36 perches, edged red, shown on a plan marked and numbered 11953 and deposited in the office of the Marine Department, Wellington; together with all that area containing by admeasurement 1 acre 1 rood 16 perches, more or less, edged red, and shown on S.O. Plan 45482, all the said parcels being part of the bed of the Auckland Harbour and part of the land in certificate of title, Volume 355, folio 147 (limited as to parcels), together with all that area containing by admeasurement 1 rood 10 perches, more or less, comprised in certificate of title, Volume 565, folio 268 (limited as to parcels and title); together with all that area containing by admeasurement 24 perches, more or less, comprised in certificate of title, Volume 136, folio 50, all the certificates of title being in the North Auckland Land Registry Office.

PART II

Takapuna—Barry's Point Area

ALL that area containing by admeasurement 111 acres 3 roods 26.8 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and being, firstly, an area containing by admeasurement 56 acres 2 roods 35 perches, more or less, described in Part II of the First Schedule to this Act; together with the area shown on a plan marked and numbered M.D. 11912 and deposited in the office of the Marine Department, Wellington, containing 4 acres 3 roods 35 perches, more or less, edged orange; together with the area shown on a plan marked and numbered M.D. 10129 deposited in the office of the Marine Department, Wellington, containing 4 acres 1 rood 08 perches, more or less, edged red; and secondly, all that area containing by admeasurement 34 acres 3 roods 02 perches, more or less, described in Part II of the First Schedule to this Act; together with the area on a plan marked and numbered M.D. 12059 and deposited in the office of the Marine Department, Wellington, containing 26 perches, more or less, and coloured yellow; together with the area shown on a plan marked and numbered M.D. 11884 and deposited in the office of the Marine Department, Wellington, containing 14 perches, more or less, coloured pink; together with the area on a plan marked and numbered M.D. 11773 and deposited in the office of the Marine Department, Wellington, containing 7 perches, more or less, coloured pink; together with the northern area shown on a plan marked and numbered M.D. 11604 and deposited in the office of the Marine Department, Wellington, containing an

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area of 1 rood 4 perches, more or less, edged red; and thirdly, an area containing 10 acres and 36 perches, more or less, described in Part II of the First Schedule to this Act; together with the southern area shown on a plan marked and numbered M.D. 11604 and deposited in the office of the Marine Department, Wellington, containing 1 rood 19.8 perches, more or less, edged red: all the said parcels being part of the land situated below mean high-water mark in the harbour of Auckland and part of the land in certificate of title, Volume 355, folio 147 (limited as to parcels), North Auckland Registry, and being areas shown edged red and shaded red on the plan marked and numbered M.D. 12571 and deposited in the office of the Marine Department, Wellington.

PART III

Onehunga—Area East of Mangere Bridge

ALL that area containing by admeasurement 8 acres 1 rood 11 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at the south-west corner of part Lot 1, D.P. 25356, and proceeding on a bearing of $272^{\circ} 30'$ to a point where it meets the eastern boundary of the land being the Onehunga Branch Line; thence proceeding in a north-easterly direction on a bearing of $36^{\circ} 16' 40''$ on the boundary of the Onehunga Branch Line to an angle in the boundary shown on S.O. Plan 3636; thence following the eastern boundary of the Onehunga Branch Line, firstly, by proceeding on a bearing of $27^{\circ} 16' 22''$ for a distance of 311.77 links, more or less; secondly, by proceeding on a bearing of $13^{\circ} 52' 14''$ for a distance of 322.51 links, more or less; thirdly, proceeding on a bearing of $357^{\circ} 58'$ for a distance of 297.98 links, more or less; fourthly, following a curved line of arc distance 320 links, more or less; fifthly, by proceeding on a bearing of $337^{\circ} 29'$ for a distance of 1250 links, more or less; sixthly, by following a line generally in a north-westerly direction to a point where it meets mean high water springs; thence following mean high water springs in an easterly direction until it meets the western boundary of Galway Street; thence following the south-western and southern boundaries of Galway Street until it meets the north-western corner of part Lot 1, D.P. 25356; thence proceeding on a bearing of $173^{\circ} 59'$ for a distance of 2488.5 links, more or less; to the point of commencement and being part of the land situated below mean high water, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being an area shown edged red on the plan marked and numbered M.D. 12553 and deposited in the office of the Marine Department, Wellington; part of the land being comprised in Deeds Index 13A/231.

SECOND SCHEDULE—*continued*

PART IV

Onehunga—Angle Street and Miami Parade Inlet

ALL that area containing by admeasurement 74 acres and 8 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau and being, firstly, the land described in Section A of Part IV of the First Schedule to this Act containing an area of 65 acres 2 roods 17 perches, more or less; and secondly, the area of 8 perches, more or less, coloured green on a plan marked and numbered M.D. 12178 and deposited in the office of the Marine Department, Wellington; commencing at a point being the south-eastern corner of Lot 72, D.P. 19678; thence following the southern boundary of the area in an easterly direction for a distance of 25.93 links, more or less; thence following the eastern boundary in a northerly direction to the north-eastern corner of the area; thence following the northern boundary of the area in a westerly direction for a distance of 29 links, more or less, to meet the north-easterly corner of Lot 72, D.P. 19678; thence proceeding in a southerly direction on a bearing of 171° 31' 30" for a distance of 181.86 links, more or less, to the point of commencement and being part of the land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being areas respectively shown edged red and shaded red on the plan marked and numbered M.D. 12572 and deposited in the office of the Marine Department, Wellington; and thirdly, the land described in Section B of Part IV of the First Schedule to this Act containing an area of 8 acres 1 rood 23 perches, more or less, and being part of the land situated below mean high water springs in the harbour of Manukau and being land vested in the Mayor, Councillors, and Citizens of the Borough of Onehunga and being the land comprised in certificates of title, Volume 5A, folio 1004, and Volume 684, folio 102, and being an area shown edged red on the plan marked and numbered M.D. 12572 and deposited in the office of the Marine Department, Wellington.

PART V

Manukau City—Kiwi Esplanade Extension

ALL that area containing by admeasurement 14 acres 1 rood 37 perches, more or less, and being, firstly, an area containing by admeasurement 6 acres 2 roods 33 perches, more or less, described in Part V of the First Schedule to this Act; and secondly, the area on a plan marked and numbered M.D. 10533 and deposited in the office of the Marine Department, Wellington, containing 1 rood 38 perches, more or less, hatched red; all the said parcels being land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911; and thirdly, all that area containing by admeasurement 7 acres 1 rood 06 perches, more

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SECOND SCHEDULE—*continued*

or less, edged red, being part of Allotment 86, Parish of Manurewa shown on S.O. Plan 45488, and being part of the land in certificate of title, Volume 1820, folio 80 (limited as to parcels), North Auckland Registry.

PART VI

Waiuku—Area Adjoining Kentish Hotel

ALL that area containing by admeasurement 1 rood 35 perches, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau bounded by a line commencing at the westernmost corner of Lot 10, D.P. 11645, and proceeding in a north-westerly direction on a bearing of $314^{\circ} 44'$ to meet mean high water springs; thence following mean high water springs in a north-easterly direction to meet the south-easterly extremity of King Street; thence proceeding on a bearing of $107^{\circ} 30'$ for a distance of 94 links, more or less; thence proceeding on a bearing of $131^{\circ} 30'$ for a distance of 24 links, more or less; thence proceeding on a bearing of $180^{\circ} 30'$ to meet mean high-water mark on the western boundary of Lot 10, D.P. 11645; thence following the western boundary of Lot 10 in a southerly direction to the point of commencement and being part of the land situated below mean high-water mark, spring tides, in the harbour of Manukau and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being an area shown coloured yellow on a plan marked and numbered M.D. 12509 and deposited in the office of the Marine Department, Wellington.

PART VII

Auckland—Bastion Point, Tamaki Drive

ALL that area containing by admeasurement 1 acre 1 rood 5 perches, in a north-westerly direction on a bearing of $314^{\circ} 44'$ to meet the harbour of Auckland bounded by a line commencing on the northern boundary of Tamaki Drive located on a bearing of $333^{\circ} 25'$ for a distance of 36.86 links from Iron Tube LXXXIII, S.O. Plan 25685; thence proceeding on a bearing of $235^{\circ} 28'$ for a distance of 110.38 links, more or less; thence proceeding on a bearing of $218^{\circ} 23'$ for a distance of 108.83 links, more or less; thence proceeding on a bearing of $208^{\circ} 45' 30''$ for a distance of 160.66 links, more or less; thence proceeding on a bearing of $220^{\circ} 24'$ for a distance of 65.16 links, more or less; thence proceeding on a bearing of $236^{\circ} 29' 30''$ for a distance of 65.02 links, more or less; thence proceeding on a bearing of $249^{\circ} 28'$ for a distance of 167.0 links, more or less, all being on the northern boundary of Tamaki Drive; thence proceeding in a northerly direction on a bearing of $352^{\circ} 00'$ for a distance of 224 links, more or less; thence proceeding in a north-easterly direction on a bearing of $51^{\circ} 30'$ to a point where it meets the western boundary of Section 7, Block IX, Rangitoto S.D.; thence following the western boundary of Section 7 in a southerly direction

SECOND SCHEDULE—*continued*

to a point where it meets the northern boundary of Tamaki Drive; thence proceeding on a bearing of $218^{\circ} 20'$ for a distance of 22.12 links on the north boundary of Tamaki Drive to the point of commencement and being part of the land situated below mean high-water mark in the harbour of Auckland and part of the land in certificate of title, Volume 55, folio 236, and being an area shown edged red on the plan marked and numbered M.D. 12570 and deposited in the office of the Marine Department, Wellington.

PART VIII

Auckland—Whau Creek

ALL that area containing by admeasurement 4 acres 3 roods 36 perches, more or less, being land situated below mean high-water mark in the harbour of Auckland and being an area inside a line drawn in a south-westerly direction on a bearing of $247^{\circ} 26' 20''$ for a distance of 1160 links, more or less, from the extreme easterly point where the aforesaid line intersects the mean high-water mark at the intersection of the boundary line between Lot 4, D.P. 49405, and part Lot 2, D.P. 4254, with the said mean high-water mark; thence following a line in a generally southerly direction on a bearing of $191^{\circ} 04' 40''$ for a distance of 750 links, more or less; thence following a line in a generally north-easterly direction on a bearing of 50° for a distance of 320 links, more or less; thence following a line in a generally south-easterly direction on a bearing of 140° for a distance of 45.45 links, more or less; thence following a line in a generally south-westerly direction on a bearing of 230° for a distance of 376.3 links, more or less; thence following a right line in a generally southerly direction to a point where this line intersects the mean high-water mark at the intersection of the boundary between part Lot 2, D.P. 4254, and Lot 3, D.P. 4254, with the said mean high-water mark; thence following the mean high-water mark in a generally north-easterly direction to meet the point of commencement, and being part of the land below mean high-water mark, Auckland Harbour vested in the Auckland Harbour Board by the Auckland Harbour Development Act 1949, and being the area shown edged red on the plan marked and numbered M.D. 12529 and deposited in the office of the Marine Department, Wellington.

PART IX

Mangere—Harania Inlet

ALL that area containing by admeasurement 76 acres, more or less, being land situated below mean high-water mark, spring tides, in the harbour of Manukau and being an area south of a line drawn in a south-easterly direction following the north face of the existing causeway across Harania Creek from a point where the western end of the north face of the said causeway intersects the mean high-water mark, spring tides, at Favona Road to a point where the eastern end of the north face of the said causeway intersects the mean

SECOND SCHEDULE—*continued*

high-water mark, spring tides, at Favona Road, thence following the mean high-water mark, spring tides, in a generally south-easterly direction and then north-westerly generally around the Harania Inlet to meet the commencing point, and being part of the land vested in the Auckland Harbour Board under Manukau Harbour Control Act 1911, and being the areas shown edged red on the plan marked and numbered M.D. 12568 and edged mauve and cross hatched on a plan marked and numbered M.D. 11079, the said plans being deposited in the office of the Marine Department, Wellington.