

[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.

*Hon. Mr McKay*

## NORTHLAND HARBOUR BOARD VESTING AND EMPOWERING

[LOCAL]

### ANALYSIS

Title	5. Vesting
1. Short Title	6. Authority to District Land Registrar to issue certificates of title
2. Interpretation	7. Authority to expend money on all ports
3. Special Act	Schedules
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### A BILL INTITULED

5 **An Act to vest in the Board certain parts of the Hokianga, Whangaroa, Awanui, Mangonui, Bay of Islands, and Whangarei Harbours, and to authorise the Board to reclaim certain land, and to authorise the Board to expend money on all ports from its Harbour Fund**

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 Northland Harbour Board Vesting and Empowering Act 1967.

No. 34—2

*Price 6d. (5c)*

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**2. Interpretation**—In this Act, unless the context otherwise requires, the term “the Board” means the Northland Harbour Board.

**3. Special Act**—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950. 5

**4. Authority to reclaim land**—The Board is hereby authorised, notwithstanding anything contained in section 175 of the Harbours Act 1950, but subject to the provisions of sections 176 to 182 of that Act, to reclaim the lands described in the Fourth, Seventh, Eighth, and (Twelfth) Eleventh Schedules 10 to this Act.

**5. Vesting**—The lands described in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, (Tenth, and Eleventh) and Tenth Schedules to this Act are hereby vested in the Board as an estate in fee simple in trust for harbour purposes. 15

**6. Authority to District Land Registrar to issue certificates of title**—The District Land Registrar for the Land Registration District of North Auckland is hereby authorised and directed, on the deposit with him of such plans and documents as he may require, to issue to the Board certificates of title in 20 respect of the lands vested in the Board in pursuance of section 5 of this Act and to make such entries in the register books and do all such other things as may be necessary to give effect to the provisions of this Act.

**7. Authority to expend money on all ports**—(1) The Northland Harbour Board Act 1965 is hereby amended by inserting, after section 13, the following section: 25

“13A. Notwithstanding the provisions of section 96 of the Harbours Act 1950 (as amended by section 4 of the Harbours Amendment Act 1959) or of any other Act, the Board may 30 from time to time expend such sum or sums out of its Harbour Fund as it thinks fit, for any purpose authorised by law, in or about any or all of the harbours under its control, notwithstanding that the whole or any part of the money in the Harbour Fund is derived from harbour dues and notwith- 35 standing that any such harbour dues were derived in respect of a harbour other than a harbour in respect of which the expenditure is made:

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“Provided that nothing in this section shall authorise the expenditure of any money derived from harbour dues except for a shipping purpose within the meaning of section 96 of the Harbours Act 1950.”

- 5 (2) Any expenditure by the Board made before the commencement of this section which would have been valid if this section had been in force when the expenditure was made is hereby validated and declared to have been lawful.

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SCHEDULES

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FIRST SCHEDULE

LAND VESTED

ALL that area situated in Block VI, Hokianga Survey District containing by admeasurement 4 acres 3 roods 35 perches, more or less, being land below mean high-water mark, Hokianga Harbour, bounded by a line commencing at the point of mean high-water mark at a bearing of  $332^{\circ} 5'$  from peg XI, Survey Office Plan 6105; thence northerly for a distance of 606.06 links at a bearing of  $332^{\circ} 5'$ ; thence easterly for a distance of 855.0 links at a bearing of  $71^{\circ} 30'$ ; thence southerly at a bearing of  $155^{\circ} 44'$  to point of mean high-water mark; thence westerly along the line of mean high-water mark to point of commencement.

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SECOND SCHEDULE

LAND VESTED

ALL that area of land situated in Block X, Mangamuka Survey District containing by admeasurement 4 acres 3 roods 36 perches, more or less, being land below mean high-water mark, Hokianga Harbour, bounded by a line commencing at point on mean high-water mark, being the intersection of a line at a bearing of  $136^{\circ}$  from peg II, Survey Office Plan 11272 with mean high-water mark; thence southerly at a bearing of  $136^{\circ} 00'$  to a point 735.00 links at a bearing of  $136^{\circ} 00'$  from peg II, Survey Office Plan 11272; thence easterly for a distance of 780.00 links at a bearing of  $46^{\circ} 00'$ ; thence northerly at a bearing of  $316^{\circ} 00'$  to intersect the line of mean high-water mark on eastern side of Crown grant road; thence southerly along the line of mean high-water mark which is generally the eastern boundary of the Crown grant road to point of commencement.

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### THIRD SCHEDULE

#### LAND VESTED

ALL that area in Block VII, Whangaroa Survey District containing 4 acres 3 roods 35 perches, more or less, being land below mean high-water mark, Whangaroa Harbour, bounded by a line commencing at a point bearing  $309^{\circ} 24'$  distant 109.2 links from peg VII, shown on S.O. Plan 27733, and proceeding along a right line bearing  $243^{\circ} 04'$  distant 385.0 links to and generally north-westerly and then southerly along the line of mean high-water being the northern and western sides of the public road taken by Proclamation 11254, to a point bearing  $264^{\circ} 25'$  and distant 20.3 links from I.S. XII, shown on S.O. Plan 27733; thence along right lines bearing  $303^{\circ} 00'$  distant 860 links, bearing  $33^{\circ} 00'$  distant 625.00 links, and then south-easterly to the point of commencement.

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### FOURTH SCHEDULE

#### LAND VESTED AND RECLAIMED LAND

ALL that area situated in Block VII, Whangaroa Survey District, containing by admeasurement 4 acres 3 roods 35 perches, more or less, being land below mean high-water mark, Whangaroa Harbour; bounded by a line commencing at a point 660.0 links at a bearing of  $276^{\circ} 08'$  from point of intersection on mean high-water mark of the extension of the line of the southern boundary of part Section 52, Block VII, Whangaroa Survey District, and public road, Proclamation 11254; thence in an easterly direction for 660.0 links at a bearing of  $96^{\circ} 08'$ ; thence northerly along the western boundary of public road, Proclamation 11254, to point of intersection of public road, Proclamation 11254 and extension of the boundary line between part Lot 7 and Lot 8, Deeds Plan C34; thence westerly for a distance of 750.0 links at a bearing of  $267^{\circ} 00'$ ; thence southerly to point of commencement.

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### FIFTH SCHEDULE

#### LAND VESTED

ALL that area in Block VII, Whangaroa Survey District containing 4 acres 3 roods 35 perches, more or less, being land below mean high-water mark Whangaroa Harbour, bounded by a line commencing at a point bearing  $254^{\circ} 30'$  and distant 38.9 links from peg XIII, shown on S.O. Plan 1773<sup>1</sup> and proceeding along right lines bearing  $89^{\circ} 55' 30''$  distant 166.3 links, bearing  $28^{\circ} 24'$  distant 193.9 links, bearing  $356^{\circ} 14'$  distant 206.3 links, bearing  $90^{\circ} 00'$  distant 570 links, bearing  $180^{\circ} 00'$  distant 720 links, and bearing  $270^{\circ} 00'$  distant 820 links; thence along a right line to the point of commencement.

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SIXTH SCHEDULE

LAND VESTED

ALL that area of land situated in Block VI, Rangaunu Survey District, containing by admeasurement 4 acres 3 roods 35 perches, more or less, being land below mean high-water mark, Awanui Harbour, bounded by a line commencing at a point on mean high-water mark, being an intersection of a line at a bearing of  $19^{\circ}$  from peg IX, Survey Office Plan 22093 with mean high-water mark; thence northerly for a distance of 440 links at a bearing of  $19^{\circ} 00'$ ; thence easterly for a distance of 1,000 links at a bearing of  $109^{\circ} 00'$ ; thence southerly at a bearing of  $199^{\circ} 00'$  to intersect mean high-water mark; thence westerly along the line of mean high-water mark to point of commencement.

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SEVENTH SCHEDULE

LAND VESTED AND RECLAIMED LAND

ALL that area of land situated in Block V, Mangonui Survey District containing by admeasurement 3 acres 2 roods, more or less, being land below mean high-water mark, Mangonui Harbour, bounded by a line commencing at point of mean high-water mark, being the intersection of the extension of the southern boundary of Lot 1, D.P. 30928 adjoining the Crown grant road with mean high-water mark; thence southerly for a bearing of  $176^{\circ} 30'$  to intersect the Crown grant road; thence generally in a northerly direction along the east boundary of the Crown grant road to point of commencement.

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EIGHTH SCHEDULE

RECLAIMED LAND

ALL that area of land situated in Block IX, Whangarei Survey District, containing by admeasurement 5 acres 3 roods 15 perches, more or less, being part Lot "L" of Section 3 and part land vested in the Northland Harbour Board by the Whangarei Harbour Board Vesting and Empowering Act 1962, being part section 42, Block IX, Whangarei Survey District, bounded by a line commencing at a point 56 links at a bearing of  $127^{\circ} 32' 30''$  from peg III, Survey Office Plan 14564; thence southerly for a distance of 1,407.6 links with a bearing of  $139^{\circ} 55'$ ; thence easterly for a distance of 276.0 links at a bearing of  $65^{\circ}$ ; thence southerly for a distance of 680 links at a bearing of  $155^{\circ} 0'$ ; thence westerly for a distance of 144 links at a bearing of  $248^{\circ} 0'$ ; thence northerly for a distance of 330 links at a bearing of  $322^{\circ} 30'$ ; thence westerly for a distance of 660 links at a bearing of  $312^{\circ} 30'$ ; thence westerly for a distance of 460 links at a bearing of  $295^{\circ} 30'$ ; thence westerly for a distance of 600 links at a bearing of  $281^{\circ} 0'$ ; thence northerly for a distance of 720 links at a bearing of  $31^{\circ} 59' 30''$ .

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### NINTH SCHEDULE

#### LAND VESTED

ALL that area of land situated in Block IV, Kawakawa Survey District containing by admeasurement 4 acres 2 roods, more or less, being land below mean high-water mark, Bay of Islands Harbour, bounded by a line commencing at a point 909.34 links at a bearing of  $40^{\circ} 37'$  from a point on the east road boundary of Lot 5, D.P. 11040, being 75 links at a bearing of  $310^{\circ} 37'$  from the south-eastern road peg of Lot 5, D.P. 11040; thence easterly for a distance of 606.06 links at a bearing of  $130^{\circ} 37'$ ; thence southerly at a bearing of  $220^{\circ} 37'$  to intersect the line of mean high-water mark; thence westerly along the line of mean high-water mark to intersect a line at a bearing of  $40^{\circ} 37'$  from a point on the east road boundary of Lot 5, D.P. 11040, being 75 links at  $310^{\circ} 37'$  from the south-east road corner of Lot 5, D.P. 11040; thence northerly at a bearing of  $40^{\circ} 37'$  to point of commencement.

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*Struck Out*

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### TENTH SCHEDULE

#### LAND VESTED

(a) All that area of land situated in Block IV, Kawakawa Survey District containing by admeasurement 3 acres 2 roods, more or less, being land below mean high-water mark, Bay of Islands Harbour, bounded by a line commencing at a point on mean high-water mark being the intersection of a line at  $247^{\circ} 27'$  from old peg XLIX, Survey Office Plan 45007; thence westerly for a distance of 174 links from point of commencement and 250 links from old peg XLIX at a bearing of  $247^{\circ} 27'$ ; thence southerly for a distance of 500 links at a bearing of  $157^{\circ} 27'$ ; thence easterly for a distance of 879.4 links at a bearing of  $122^{\circ} 15'$ ; thence northerly at a bearing of  $180^{\circ} 08'$  to intersect the line of mean high-water mark; thence westerly along the line of mean high-water mark to point of commencement.

(b) All that area in Block IV, Kawakawa Survey District containing 5 acres 3 roods, more or less, being land below mean high-water mark, Bay of Islands Harbour, bounded by a line commencing at the intersection of the line of mean high-water with a right line bearing  $180^{\circ} 08'$  from the peg bearing  $90^{\circ} 08'$  distant 50 links from I.S. XXXII, shown on S.O. Plan 45007, and proceeding along right lines bearing  $180^{\circ} 08'$  distant 439.0 links, bearing  $109^{\circ} 00'$  distant 855.0 links, and bearing  $39^{\circ} 37'$  to the line of mean high-water; thence north-westerly generally along that line to the point of commencement.

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**(ELEVENTH) TENTH SCHEDULE**

LAND VESTED

ALL that area of land situated in Blocks III, IV, and VIII, Ruakaka Survey District, containing by admeasurement 22 acres, more or less, being land below mean high-water mark, Whangarei Harbour, bounded by a line commencing at a peg on mean low-water mark shown on D.P. 52379; thence northerly for a distance of 750 links at a bearing of  $29^{\circ} 57' 40''$ ; thence westerly for a distance of 2,750 links at a bearing of  $291^{\circ} 15'$ ; thence southerly at a bearing of  $201^{\circ} 15'$  to intersect the line of mean low-water mark; thence easterly along the line of mean low-water mark to point of commencement.

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**(TWELFTH) ELEVENTH SCHEDULE**

LAND VESTED AND RECLAIMED LAND

ALL that area situated in Blocks III, IV, and VIII, Ruakaka Survey District containing by admeasurement 65 acres, more or less, being part land vested in the Northland Harbour Board by the Whangarei Harbour Board Vesting and Empowering Acts 1961 and 1962 and land below mean high-water mark Whangarei Harbour bounded by a line commencing at a point, being 750 links at a bearing of  $29^{\circ} 57' 40''$  and 2,750 links at a bearing of  $291^{\circ} 15'$  from old peg at mean low-water mark shown on D.P. 52379; thence southerly at a bearing of  $201^{\circ} 15'$  to intersect the line of mean high-water mark; thence easterly along the line of mean high-water mark to intersect the western edge of the Northland Harbour Board wharf; thence along the line of the western side of the Northland Harbour Board wharf to a point being the intersection of a line running at  $111^{\circ} 15'$  from point of commencement; thence westerly at a bearing of  $291^{\circ} 15'$  to point of commencement.