

*Hon. Mr McKay*

## NORTHLAND HARBOUR BOARD VESTING AND EMPOWERING

[LOCAL]

### ANALYSIS

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### A BILL INTITULED

**An Act to vest in the Board certain parts of the Mangonui, Bay of Islands, Tutukaka, and Whangarei Harbours and to authorise the Board to reclaim certain lands; and to exempt land in the Bay of Islands Harbour from certain provisions of the Counties Amendment Act 1961; and to bring the Parengarenga Harbour under the control of the Board**

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**—This Act may be cited as the Northland Harbour Board Vesting and Empowering Act 1968.

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

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**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 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 First, Third, Fourth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Twelfth Schedules to this Act. 5

**5. Vesting**—The lands described in the First, Second, Fifth, Sixth, Seventh, Eighth, and Tenth Schedules to this Act are hereby vested in the Board as an estate in fee simple in trust for harbour purposes subject nevertheless to the same reservations and restrictions as are imposed by section 59 of the Land Act 1948. 10

**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 on the deposit with him of such plans and documents as he may require, to issue to the Board, certificates of title in respect of the lands vested in the Board in pursuance of section 5 of this Act, to make such entries in the register books, and do all such things as may be necessary to give effect to the provisions of this Act. 15 20

**7. Application of Counties Amendment Act 1961**—The provisions of section 29 of the Counties Amendment Act 1961 (as amended by section 22 of the Counties Amendment Act 1964) shall not apply and shall be deemed never to have applied to the land described in the Thirteenth Schedule to this Act. 25

**8. Parengarenga Harbour to be brought under control of Board**—The Northland Harbour Board Act 1965 is hereby amended by adding to the harbours described in the First Schedule to that Act the following harbour: 30

Parengarenga Harbour—The limits of which are defined in Order in Council of 20 November 1868, *Gazette* 23 November 1868, p. 549. 35

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## SCHEDULES

### FIRST SCHEDULE

#### *Land Vested and Reclaimed Land*

ALL that area of land situated in Block IV, Mangonui Survey District, containing by admeasurement twelve acres, more or less, being land below M.H.W.M., Mangonui Harbour, bounded by a line commencing at a point on M.H.W.M., being the intersection of a line at a bearing of  $200^{\circ} 00'$  from a point 658.0 links at a bearing of  $129^{\circ} 43'$  from the middle O.I.T. of the three O.I.T.'s shown on Survey Office Plan 31219 with M.H.W.M.; thence easterly along the line of M.H.W.M. (along the southern side of State Highway No. 10) to the western side of public road Proc. 10312 and 10313; thence south-westerly along the western side of the public road to and along the line of M.H.W.M. to a point being the intersection of a line at a bearing of  $200^{\circ}$  from the point of commencement; thence northerly along a right line to the point of commencement.

### SECOND SCHEDULE

#### *Land Vested*

ALL that area of land situated in Block V, Russell Survey District, containing by admeasurement nine acres three roods six perches and eight-tenths of a perch, more or less, being land below M.H.W.M., Bay of Islands Harbour, bounded by a line commencing at the easternmost corner of Section 36, Block V, Russell Survey District; thence northerly for a distance of 325.7 links at a bearing of  $343^{\circ} 34'$ ; thence easterly for a distance of 450 links at a bearing of  $134^{\circ} 54'$ ; thence southerly for a distance of 630 links at a bearing of  $177^{\circ}$ ; thence westerly for a distance of 410 links at a bearing of  $237^{\circ}$ ; thence southerly for a distance of 2453.3 links at a bearing of  $206^{\circ} 19'$ ; thence westerly for a distance of 245.0 links at a bearing of  $292^{\circ} 48'$ ; thence northerly for a distance of 1563.9 links at a bearing of  $22^{\circ} 16'$ ; thence northerly for a distance of 692.1 links at a bearing of  $44^{\circ} 05'$ ; thence northerly for a distance of 356 links at a bearing of  $20^{\circ} 24'$ ; thence northerly for a distance of 712.0 links at a bearing of  $16^{\circ} 16'$  to point of commencement.

### THIRD SCHEDULE

#### *Reclamation of Railway Land to be Transferred to the Northland Harbour Board*

ALL that area of land situated in Block V, Russell Survey District, containing by admeasurement five acres one rood thirty perches, more or less, being land below M.H.W.M., Bay of Islands Harbour bounded by a line commencing at a point on M.H.W.M., being the intersection of a line  $112^{\circ} 48'$  from the southernmost corner of Section 10, Block XXVIII, Town of Opua; thence easterly for a distance of 200 links at a bearing of  $112^{\circ} 48'$ ; thence northerly for a distance of 1570 links

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##### THIRD SCHEDULE—*continued*

at a bearing of  $22^{\circ} 16'$ ; thence easterly at a bearing of  $49^{\circ}$  to intersect the line of M.H.W.M.; thence westerly and southerly generally along the line of M.H.W.M. to and along the south-eastern side of Baffin Street, Crown grant to intersect the line of M.H.W.M., thence southerly along the line of M.H.W.M. to intersect the eastern road side of public road Crown grant; thence southerly along the eastern road side of public road Crown grant, to intersect the line of M.H.W.M.; thence southerly along the line of M.H.W.M. to point of commencement.

All that area of land situated in Block V, Russell Survey District, containing by admeasurement three acres two roods thirty perches, more or less, being land below M.H.W.M., Bay of Islands Harbour, bounded by a line commencing at the easternmost corner of Section 36, Block V, Russell Survey District; thence southerly for a distance of 712 links at a bearing of  $196^{\circ} 16'$ ; thence southerly for a distance of 356.0 links at a bearing of  $200^{\circ} 24'$ ; thence southerly for a distance of 692.1 links at a bearing of  $224^{\circ} 5'$ ; thence southerly for a distance of 1563.9 links at a bearing of  $202^{\circ} 16'$ ; thence westerly for a distance of 120 links at a bearing of  $292^{\circ} 48'$ ; thence northerly for a distance of 1580 links at a bearing of  $22^{\circ} 16'$ ; thence easterly for a distance of 450 links at a bearing of  $47^{\circ} 00'$ ; thence easterly for a distance of 90 links at a bearing of  $43^{\circ} 15'$ ; thence northerly for a distance of 100 links at a bearing of  $317^{\circ} 30'$ ; thence northerly for a distance of 600 links at a bearing of  $26^{\circ} 00'$ ; thence northerly for a distance of 350 links at a bearing of  $13^{\circ} 00'$ ; thence westerly for a distance of 55 links at a bearing of  $269^{\circ} 47'$ ; thence northerly for a distance of 100 links at a bearing of  $2^{\circ} 11'$ ; thence easterly for a distance of 183.5 links at a bearing of  $87^{\circ} 36'$  to point of commencement.

All that area of land situated in Block V, Russell Survey District, containing by admeasurement two roods and twenty perches, more or less, being land below M.H.W.M., Bay of Islands Harbour, bounded by a line commencing at a point being 35 links at a bearing of  $269^{\circ} 47'$  from the southern extremity of the eastern end of Beechy Street, Proc. 6291; thence southerly for a distance of 530 links at a bearing of  $196^{\circ}$ ; thence southerly at a bearing of  $207^{\circ} 30'$  to intersect line of M.H.W.M.; thence northerly along the line of M.H.W.M. to intersect the south road side of Beechy Street, Proc. 6291; and thence easterly along the south road side of Beechy Street, Proc. 6291 at a bearing of  $89^{\circ} 47'$  to point of commencement.

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#### FOURTH SCHEDULE

##### *Reclaimed Land*

ALL that area of land situated in Block V, Russell Survey District, containing by admeasurement three acres, more or less, being land below M.H.W.M., Bay of Islands Harbour, bounded by a line commencing at a point being 173.8 links at a bearing of  $122^{\circ} 14' 30''$  from peg LXI Survey Office Plan 45204; thence southerly for a distance of 2213.7 links at a bearing of  $206^{\circ} 36'$ ; thence westerly for a distance of 90.0 links at a bearing of  $292^{\circ} 48'$ ; thence northerly for a distance of 1563.9 links at a bearing of  $22^{\circ} 16'$ ; thence northerly for a distance of 692.1 links at a bearing of  $44^{\circ} 05'$  to point of commencement.

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### FIFTH SCHEDULE

#### *Land Vested*

ALL that area of land situated in Block V, Russell Survey District, containing by admeasurement one acre two roods eight perches, more or less, being Section 46, Block V, Russell Survey District, shown on Survey Office Plan 45724.

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### SIXTH SCHEDULE

#### *Land Vested and Reclaimed Land*

ALL that area of land situated in Block IV, Whangarei Survey District, containing by admeasurement six acres two roods, more or less, being land below M.H.W.M., Tutukaka Harbour, bounded by a line commencing at the junction of the north-eastern boundary of an area of two roods and four perches shown on Survey Office Plan 45747 with M.H.W.M.; thence easterly for a distance of 174 links at a bearing of  $55^{\circ} 32'$ ; thence easterly for a distance of 360.0 links at a bearing of  $99^{\circ}$ ; thence northerly for a distance of 820.0 links at a bearing of  $20^{\circ} 00'$ ; thence easterly for a distance of 107 links at a bearing of  $51^{\circ} 00'$ ; thence easterly for a distance of 425 links at a bearing of  $80^{\circ}$ ; thence easterly for a distance of 280.0 links at a bearing of  $114^{\circ} 30'$ ; thence southerly for a distance of 240.0 links at a bearing of  $137^{\circ} 30'$ ; thence easterly at a bearing of  $57^{\circ} 02'$  to intersection of M.H.W.M.; thence westerly along the line of M.H.W.M. being the southern road side of public road Crown grant, continuing westerly and southerly to and along the line of M.H.W.M. to point of commencement.

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### SEVENTH SCHEDULE

#### *Land Vested and Reclaimed Land*

ALL that area of land situated in Block XV, Whangarei Survey District, containing by admeasurement twenty-four acres three roods, more or less, being land below M.H.W.M., Whangarei Harbour, bounded by a line commencing at a point on M.H.W.M. being the intersection of that south-eastern side of public road K41103, on a bearing of  $50^{\circ} 56'$  with M.H.W.M.; thence northerly and easterly along the line of M.H.W.M. to the northernmost corner of the land comprised in certificate of title, Volume 546, folio 196; thence northerly for a distance of 36 links at a bearing of  $38^{\circ} 05'$ ; thence northerly for a distance of 190 links at a bearing of  $31^{\circ} 45'$ ; thence southerly for a distance of 950 links at a bearing of  $137^{\circ} 44'$ ; thence south-westerly for a distance of 2000 links at a bearing of  $227^{\circ} 44'$ ; thence south-westerly along a right line to point of commencement, excluding all that land known as Patiotio Rock.

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### EIGHTH SCHEDULE

#### *Land Vested and Reclaimed Land*

ALL that area of land situated in Block XV, Whangarei Survey District, containing by admeasurement three roods and ten perches, more or less, being land below M.H.W.M., Whangarei Harbour, bounded by a line commencing at a point on M.H.W.M. 126.7 links at a bearing of  $4^{\circ} 12'$  from I.S.I. D.P. 52928; thence southerly for a distance of 485 links at a bearing of  $137^{\circ} 44'$ ; thence southerly for a distance of 159.7 links at a bearing of  $211^{\circ} 45'$ ; thence westerly for a distance of 36.5 links at a bearing of  $264^{\circ} 39'$ ; thence northerly for a distance of 71.9 links at a bearing of  $317^{\circ} 44'$ ; thence westerly for a distance of 166.85 links at a bearing of  $296^{\circ} 43'$  to intersect line of M.H.W.M.; thence northerly along the line of M.H.W.M. to point of commencement.

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### NINTH SCHEDULE

#### *Reclaimed Land*

ALL that area of land situated in Blocks I and V, Ruakaka Survey District, containing by admeasurement three hundred and twenty acres, more or less, being that part of Allotment 165, Mangapai Parish; situated to the north of State Highway No. 1; shown on Proc. 6437, and Survey Office Plan 45849; and to the north of Part of Allotment N56, Mangapai Parish, comprising in part certificate of title, Volume 555, folio 35, excluding that piece of land known as Ngawi Island.

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### TENTH SCHEDULE

#### *Land Vested and Reclaimed Land*

ALL that area of land situated in Block I, Ruakaka Survey District, containing by admeasurement three hundred and forty acres, more or less, being land below M.H.W.M., Whangarei Harbour, bounded by a line commencing at a point on M.H.W.M., Onemama Point, due east of I.S. XV shown on Survey Office Plan 38865; thence southerly along a right line to a point on M.H.W.M. at eastern extremity of Allotment 111, Maungatapere Parish on M.H.W.M.; thence easterly for a distance of 3500 links at a bearing of  $101^{\circ} 30'$ ; thence northerly along a right line to intersect the eastern extremity of Motuotawa in Block XIII, Whangarei Survey District, known as Rabbit Island, for a distance of 10300 links; thence westerly along a right line to point of commencement.

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### ELEVENTH SCHEDULE

#### *Reclaimed Land*

ALL that area of land situated in Block I, Ruakaka Survey District, containing by admeasurement one hundred and forty-seven acres, more or less, being land vested in the Northland Harbour Board by Statutes 1963, page 1132, being land below M.H.W.M., Whangarei Harbour, bounded by a line commencing at a point of M.H.W.M., Onemama Point, due east of I.S. XV shown on Survey Office Plan 38865; thence southerly along the line of M.H.W.M. to the eastern extremity of the north side of the legal road which intersects part Allotment 113, Maungatapere Parish; thence easterly on a bearing of  $81^{\circ} 30'$  to intersect the right line joining the point of commencement at Onemama Point with the point on M.H.W.M. at the eastern extremity of Allotment 111, Maungatapere Parish, on M.H.W.M.; thence northerly along a right line to the point of commencement.

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### TWELFTH SCHEDULE

#### *Reclaimed Land*

ALL that area of land situated in Block XIII, Whangarei Survey District, containing by admeasurement thirty-nine acres, more or less, being Part Lot 1, D.P. 51422, being Part Section 10, Block XIII Whangarei Survey District, comprised in part certificate of title, Volume 3B, folio 47, bounded by a line commencing at a point 786.44 links at a bearing of  $359^{\circ} 13' 30''$  along the western side of Port Road from Peg V, D.P. 59507, and then 1000 links at a bearing of  $269^{\circ} 13' 30''$ ; thence southerly for a distance of 807 links at a bearing of  $179^{\circ} 13' 30''$ ; thence westerly for a distance of 2742.4 links at a bearing of  $269^{\circ} 13' 30''$ ; thence southerly for a distance of 328.2 links at a bearing of  $216^{\circ} 07'$ ; thence westerly at a bearing of  $269^{\circ} 13' 30''$  to intersect the line of M.H.W.M.; thence northerly along the line of M.H.W.M. to intersect the eastern side of the railway boundary; thence easterly for a distance of 163 links at a bearing of  $46^{\circ} 51' 50''$  along the eastern side of the railway boundary; thence northerly along the line of M.H.W.M. to intersect the eastern side of the railway boundary; thence easterly for a distance of 535.6 links at a bearing of  $56^{\circ} 18'$ ; thence easterly for a distance of 427.2 links at a bearing of  $49^{\circ} 14' 30''$ ; thence easterly along a right line to point of commencement.

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### THIRTEENTH SCHEDULE

#### *Land to be Exempted from Section 29 of the Counties Amendment Act 1961*

ALL that area of land situated in Block V, Russell Survey District, containing by admeasurement eighteen acres, more or less, being land below M.H.W.M., Bay of Islands Harbour, and Section 36, Block V, Russell Survey District, and railway land to be transferred to the Northland Harbour Board, bounded by a line commencing at the northernmost corner of Section 36, Block V, Russell Survey District; thence south-easterly for a distance of 1056.6 links at a bearing of  $134^{\circ} 54'$ ; thence southerly for a distance of 630 links at a bearing of  $177^{\circ} 00'$ ; thence westerly for a distance of 410 links at a bearing of  $237^{\circ}$ ; thence southerly for a distance of 2453.3 links at a bearing of  $206^{\circ} 19'$ ; thence westerly for a distance of 365 links at a bearing of  $292^{\circ} 48'$ ; thence northerly for a distance of 1580 links at a bearing of  $22^{\circ} 16'$ ; thence easterly for a distance of 450 links at a bearing of  $47^{\circ} 00'$ ; thence easterly for a distance of 90 links at a bearing of  $84^{\circ}$ ; thence northerly for a distance of 95 links at a bearing of  $43^{\circ} 15'$ ; thence northerly for a distance of 100 links at a bearing of  $317^{\circ} 30'$ ; thence northerly for a distance of 600 links at a bearing of  $26^{\circ} 00'$ ; thence northerly for a distance of 350 links at a bearing of  $13^{\circ}$ ; thence westerly for a distance of 55 links at a bearing of  $269^{\circ} 07'$ ; thence northerly for a distance of 100 links at a bearing of  $2^{\circ} 11'$ ; thence westerly for a distance of 342.2 links at a bearing of  $269^{\circ} 07'$ ; thence southerly for a distance of 383.5 links at a bearing of  $220^{\circ} 21'$ ; thence westerly for a distance of 222.85 links at a bearing of  $251^{\circ} 48'$ ; thence northerly for a distance of 1210.5 links at a bearing of  $22^{\circ} 51'$  to point of commencement.