



## ANALYSIS

Title  
Preamble  
1. Short Title

2. Power to reclaim land  
3. Special Act  
Schedule

---

1966, No. 25—*Local*

**An Act to empower the Nelson City Council to reclaim certain tidal lands belonging to the Council**

[14 October 1966

WHEREAS by Deed of Conveyance dated the 27th day of January 1909 and registered in the office of the Registrar of Deeds at Nelson under No. 35647, certain land was conveyed by James Burns Green, Arthur Ernest Green, George Green, and Percy Bolland Adams to the Mayor, Councillors, and Citizens of the City of Nelson (in this Act referred to as the Council): And whereas the said Deed of Conveyance also purported to convey to the Council all the estate, right, title, interest, claim, and demand of the said vendors in other land comprising accretions from recessions of the sea: And whereas by Deed Poll dated the 7th day of January 1910, and registered under No. 36433, the Council declared that it held the said lands in trust for and to be used as pleasure grounds or for any other purpose of enjoyment or recreation: And whereas since the execution of the said Deed of Conveyance, the sea has further receded to the line shown on the plan deposited in the Ministry of Works at Wellington under No. P.W.D. 124315: And whereas there were certain doubts as to whether or not the accretion area was vested in the Nelson Harbour Board pursuant to section 4 of the Nelson Harbour Act 1905: And whereas, to settle such doubts, the Nelson Harbour Board agreed to relinquish all rights and title to the

accretion area to the Council and by section 24 (2) of the Reserves and other Lands Disposal Act 1947 the District Land Registrar was empowered and directed on deposit with him of a plan to issue a certificate of title for the said accretion in favour of the Council, to be held in trust for recreation purposes such accretion area being described in section 24 (3) of the said Act as follows: All that area in the Nelson Land District situated partly in the Tahunanui Town District and partly in the Waimea County, containing by estimation two hundred and twenty acres (220 ac), more or less, and being partly accretion and partly tidal flats, now designated Section 99, District of Suburban South, and bounded generally as follows: towards the north and north-west generally by the mean high-water mark of Tasman Bay, extending from Rocks Road to the most south-westerly point of Section 99 aforesaid; towards the south-west by a right line across tidal lands from the last-mentioned point to the most westerly point of the land held by the Nelson City Council under Conveyance No. 35647 (Nelson Registry); towards the south and south-east generally by the aforesaid Nelson City Council land, by the abuttal of a public road, again by the aforesaid Nelson City Council land, by the abuttal of another public road, and again by the aforesaid Nelson City Council land, and by a portion of Rocks Road; as the same is more particularly delineated on a plan marked L. and S. 22/3258A deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon in outline edged red: And whereas part of the land comprised in the said Conveyance No. 35647 and in the accretion area is tidal and the Council desires to reclaim from the sea the area comprising some sixty-three acres (63 ac) more particularly delineated on a plan thereof deposited in the office of the Marine Department at Wellington under No. M.D. 12330 and therein coloured blue:

BE IT THEREFORE 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 Nelson City Empowering Act 1966.

**2. Power to reclaim land**—On the issue of a certificate of title in the name of the Corporation of the City of Nelson to the land described in subsection (3) of section 24 of the Reserves and Other Lands Disposal Act 1947 the Nelson City

Council may, notwithstanding the provisions of section 175 of the Harbours Act 1950 and in accordance with sections 176 to 182 of that Act, reclaim from the sea the whole or any part or parts of the area described in the Schedule to this Act.

**3. Special Act**—This Act shall be deemed to be a special Act for the purposes of the Harbours Act 1950.

---

### SCHEDULE

ALL that area in the Nelson Land District, City of Nelson, containing 63 acres, more or less, being Legal Street and part Sections 1, 5, and 99, District of Suburban South, and bounded by a line commencing at Old Peg, S.O. Plan 7048 (Peg 3A, S.O. 5534), and proceeding easterly along the northern side of Beach Road for 11 chains; thence north-westerly along a right line bearing  $325^{\circ} 30'$  distance 440 links; again north-westerly along a right line bearing  $292^{\circ}$  distance 360 links to a point on the high-water mark spring tides; thence generally westerly along the said high-water mark to the point marked A on S.O. Plan 10629; thence south-westerly along a right line bearing  $238^{\circ}$  distance 480 links; thence south-easterly along a right line bearing  $125^{\circ} 05'$  distance 460 links to a point on the high-water mark spring tides; thence generally easterly along the said high-water mark to the point of commencement.

As shown on plan numbered M.D. 12330 deposited in the Head Office of the Marine Department at Wellington and thereon coloured blue.

---