



ANALYSIS

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1966, No. 20—*Local*

An Act to authorise the Northland Harbour Board to borrow the sum of three hundred and fifty thousand pounds for harbour works; to vest in the Board certain parts of the Whangarei harbour and to authorise the Board to reclaim certain land [7 October 1966]

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 1966.

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 and the Local Authorities Loans Act 1956.

4. Authority to carry out works—The Board is hereby authorised, subject to the provisions of the Harbours Act 1950, to construct and carry out the works and do the things specified in the First Schedule to this Act.

5. 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 lands in the Whangarei Harbour, being the lands described in the Third, Fourth, Fifth, and Sixth Schedules to this Act.

6. Power to borrow—It shall be lawful for the Board from time to time as it may require to borrow subject to the provisions of the Harbours Act 1950 and the Local Authorities Loans Act 1956, the total sum of three hundred and fifty thousand pounds (in addition to any money heretofore authorised to be borrowed by the Board under or by virtue of any other Act) for the purposes specified in the First Schedule to this Act.

7. Expenditure of money—All money borrowed under this Act shall be applied and expended in the construction of the harbour works specified in the First Schedule to this Act.

8. Refund to Harbour Fund Account—The Board is hereby authorised to refund to its Harbour Fund Account, from money borrowed under authority of this Act, the amount of any money expended, not exceeding fifty thousand pounds whether before the passing of this Act or within six months thereafter for the purposes specified in the Second Schedule to this Act, and any amount so refunded shall be deemed to have been applied or expended for those purposes.

9. Investment by trustees—It shall be lawful for a trustee, unless expressly forbidden by the instrument (if any) expressly creating the trust, to invest any trust funds in his hands in any debentures or other securities that may be issued or created by the Board—

- (a) In respect of the loan to the Board of any of the money authorised by this Act to be borrowed; or
- (b) In respect of any loan to the Board of any money which may be raised by the Board by way of conversion or renewal of the loan to the Board of the money authorised by this Act to be borrowed.

10. Vesting—The land described in the Sixth Schedule to this Act is hereby vested in the Board as an estate in fee simple in trust for harbour purposes.

11. 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 upon application by the Board and, on the deposit with him of such plans and documents as he may require, to issue to the Board a certificate of title in respect of the land vested in the Board in pursuance of section 10 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.

SCHEDULES

FIRST SCHEDULE

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(a) Extending berths at Port Whangarei	250,000
(b) Providing jetties and bulk fertiliser distribution areas in Hokianga, Whangaroa, and Awanui harbours	100,000
	<u>£350,000</u>

SECOND SCHEDULE

REFUND OF MONEY EXPENDED

Investigating and performing urgent preliminary works in connection with the said berths and jetties	£50,000
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THIRD SCHEDULE

RECLAIMED LAND

ALL that area situated in Block XIII, Whangarei Survey District, containing by admeasurement 126 acres, more or less, being part of Lot 1, D.P. 51422, being part Section 10, Block XIII, Whangarei Survey District, bounded by a line commencing at the north road corner of part Lot 1, D.P. 51422 (adjoining Lot 1, L.T. 53323); thence southerly for a distance of 653·46 links at a bearing of 179° 13' 30"; thence easterly for a distance of 751·87 links at a bearing of 89° 13' 30"; thence southerly for a distance of 540 links at a bearing of 179° 13' 30"; thence westerly for a distance of 748·88 links at a bearing of 269° 13' 30"; thence southerly for a distance of 564·36 links at a bearing of 179° 13' 30"; thence easterly for a distance of 661 links at a bearing of 89° 13' 30"; thence north easterly for a distance of 70·75 links at a bearing of 44° 13' 30"; thence easterly for a distance of 37·88 links at a bearing of 89° 13' 30"; thence southerly for a distance of 1036·03 links at a bearing of 179° 13' 30"; thence westerly for a distance of 37·9 links at a bearing of 269° 13' 30"; thence southerly for a distance of 990·4 links at a bearing of 179° 13' 30"; thence westerly to an old peg from S.O. 18158 on the railway boundary, thence northerly for a distance of 427·2 links at a bearing of 27° 02'; thence northerly for a distance of 520 links at a bearing of 20°; thence northerly along mean high-water mark to a point 46·1 links at a bearing of 212° 09' from old peg, S.O. 43977; thence northerly for a distance of 46·1 links at a bearing of 32° 09' to the old peg, S.O. 43977; thence north-easterly for a distance of 454·6 links, at a bearing of 45° 03' 30"; thence easterly for a distance of 358·1 links at a bearing of 57° 18' 30"; thence easterly for a distance of 395·5 links at a bearing of 68° 29"; thence easterly for a distance of 609·5 links at a bearing of 69° 53'; thence easterly for a distance of 1333·1 links at a bearing of 74° 15' to point of commencement.

FOURTH SCHEDULE

RECLAIMED LAND

ALL that area of land situated in Block XIII, Whangarei Survey District, containing by admeasurement 87 acres 2 roods, more or less, being Lot 1, Deposited Plan 50329, being part Section 8, Block XIII, Whangarei Survey District. All that area of land situated in Block XIII, Whangarei Survey District, containing by admeasurement 73 acres and 20 perches, more or less, being Lot 2, Deposited Plan 50329, being part Section 8, Block XIII, Whangarei Survey District.

FIFTH SCHEDULE

RECLAIMED LAND

ALL that area situated in Block I, Ruakaka Survey District, containing by admeasurement 40 acres, more or less, being land below mean high-water mark, Whangarei Harbour, being part of land vested in the Northland Harbour Board by the Whangarei Harbour Board Vesting and Empowering Act 1963, bounded by a line commencing at a point on mean high-water mark at the eastern extremity of Allotment 111, Maungatapere Parish; thence generally northerly along the line of mean high-water mark to the eastern extremity of the north side of the legal road which intersects part Allotment 113, Maungatapere Parish; thence easterly at a bearing of $81^{\circ} 30'$ to intersect the right line joining the point of mean high-water at Onemana Point with the point of commencement; thence southerly to the point of commencement.

SIXTH SCHEDULE

LAND VESTED

ALL that area situated in Block XIII, Whangarei Survey District, containing by admeasurement 15 acres 3 roods 12·4 perches, more or less, being land below mean high-water mark, Whangarei Harbour, bounded by a line commencing at the north corner of Section 5, Block XIII, Whangarei Survey District, shown on Survey Office Plan 38647; thence southerly for a distance of 854·7 links at a bearing of $160^{\circ} 06'$; thence southerly for a distance of 1092·5 links at a bearing of $145^{\circ} 32'$; thence northerly for a distance of 3413·23 links at a bearing of $8^{\circ} 27' 10''$; thence westerly for a distance of 430 links at a bearing of $269^{\circ} 13' 30''$; thence southerly for a distance of 1666·1 links at a bearing of $179^{\circ} 13' 30''$ to the point of commencement.
