

ORAKEI BLOCK (VESTING AND USE) BILL

EXPLANATORY NOTE

THIS Bill implements an agreement reached by the Crown and representatives of the Taou, Ngaoho, and Te Uringutu hapu of Ngati Whatua in respect of certain portions of the Orakei Block (sometimes referred to as Bastion Point). The Bill provides for the establishment of a Maori Trust Board to represent the 3 hapu, and certain land is vested in the Board for housing, for cemetery purposes, and for open space. Other land, already vested in the Crown, is set aside for housing, and reserves of various kinds. Provision is also made for the payment of \$200,000 to the Crown by the Board.

Clause 1 relates to the Short Title.

Clause 2 is an interpretative provision.

Clause 3 provides that the Act will bind the Crown.

Ngati Whatua of Orakei Maori Trust Board

Clause 4 constitutes the Ngati Whatua of Orakei Maori Trust Board, the beneficiaries of which are to be the descendants of Tuperiri, ancestor of the Orakei hapu of Ngati Whatua.

Clause 5 provides for the membership of the Board. The initial members are to be appointed by the Governor-General on the recommendation of the Minister of Maori Affairs. Thereafter, the membership is to be appointed in accordance with the Maori Trust Boards Act 1955.

Clause 6 provides for the Maori Land Court to determine who are the descendants of Tuperiri, and therefore beneficiaries of the Board.

Clause 7 sets out the duties and powers of the Board. Broadly, these are to manage the land vested in the Board in the best interests of the beneficiaries.

Cancellation of Certain Reservations

Clause 8 cancels existing reservations over certain land. The effect is to render the land Crown land subject to the Land Act 1948. It can then be dealt with in accordance with the succeeding provisions of the Bill.

Vesting of Certain Land for Various Purposes

Clause 9 vests certain land in the Board for housing purposes. This includes the present State housing area in Kitemoana Street, 3 houses in Watene Crescent and Reihana Street, and land for additional housing adjoining Kitemoana Street and adjacent to the end of Takitimu Street.

Clause 10 vests certain land in the Board for recreation purposes. This land is situated between the present State housing at Kitemoana Street and the proposed housing area at the end of Takitimu Street.

Clause 11 vests certain land in the Board for the purpose of adding it to the existing church and cemetery site at Okahu Bay.

Clause 12 sets apart certain land for the use and benefit of Maoris. The intention is to add this land to the Orakei Marae.

Clause 13 sets aside certain pieces of land as a recreation reserve, and certain other land as a local reserve for community facilities. Both reserves are to be administered by the Auckland City Council.

Clause 14 vests certain land in the Housing Corporation for housing purposes. The area is off Aotea Street and Te Arawa Street.

Clause 15 reserves certain land for use by the Youthline Trust (Incorporated). The land is in Kupe Street.

Payment of Sum by Way of Equalisation

Clause 16 provides for the payment to the Crown by the Board of the sum of \$200,000. This sum has been fixed by agreement with the representatives of the Taou, Ngaoho, and Te Uringutu hapu.

Miscellaneous Provisions

Clause 17 zones and designates various portions of land affected by the Bill to ensure that the proposed uses will be permitted. The Auckland City Council is required to include the appropriate provisions in its district scheme, and no right of objection or appeal lies against any such provision.

Clause 18 exempts from the reserve contribution requirements of the Municipal Corporations Act 1954 any subdivision undertaken under this Bill. The reservation of open space is provided for under this Bill.

Clause 19 empowers the Auckland City Council to expend certain funds for the improvement and development of the open space vested in the Board by *clause 10* of this Bill if the Council has been appointed the agent of the Board for the management and administration of that open space.

Clause 20 requires the District Land Registrar and the Registrar of the Maori Land Court to take all the necessary administrative steps to give effect to this Bill.

Hon. V. S. Young

ORAKEI BLOCK (VESTING AND USE)

ANALYSIS

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A BILL INTITULED

5 An Act to implement the agreement reached between the Crown and representatives of the Taou, Ngaoho, and Te Uringutu hapu of Ngati Whatua for the vesting, use, and management of certain portions of the Orakei Block situated in the City of Auckland

No. 75—1

WHEREAS certain portions of the Orakei Block, situated at and around Hobson Bay and Okahu Bay in the City of Auckland, have been acquired from time to time by the Crown for particular purposes, mostly by negotiation and purchase and by the exercise of its statutory powers, from the former owners, being the Taou, Ngaoho, and Te Uringutu hapu of Ngati Whatua (sometimes referred to as the Orakei hapu of Ngati Whatua and in this preamble referred to as the Hapu): And whereas much of the said land is still held by the Crown: And whereas it is desirable to redefine the use to which various portions of the land may be put, having regard to the public interest, and to the interests of the Hapu and the special relationship of the Hapu with the land: And whereas the Minister of Lands appointed a Committee to study the area, to ascertain the views of all interested parties, and to make recommendations to him relating to the future use of the land: And whereas the Committee made a number of recommendations to the Minister of Lands, including a recommendation that certain portions of the land be set aside for the use and benefit of the Hapu as a permanent estate and turangawaewae for them forever, that certain other portions be used for housing, and that certain other portions be retained as open space: And whereas the Crown and representatives of the Hapu have agreed that provision should be made in broad accordance with the said recommendations of the Committee, subject to the payment to the Crown of an agreed sum:

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 Orakei Block (Vesting and Use) Act 1978.

2. Interpretation—In this Act, unless the context otherwise requires, “Board” means the Ngati Whatua of Orakei Maori Trust Board constituted by section 4 of this Act.

3. Act to bind Crown—This Act binds the Crown.

Ngati Whatua of Orakei Maori Trust Board

4. Ngati Whatua of Orakei Maori Trust Board constituted—(1) There is hereby constituted a body corporate to be known as the Ngati Whatua of Orakei Maori Trust Board,

which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955, and, subject to the provisions of this Act, the provisions of that Act shall apply accordingly.

5 (2) The only beneficiaries of the Board shall be the descendants of Tuperiri, ancestor of the Orakei hapu of Ngati Whatua, being the persons named by the Maori Land Court in accordance with section 6 of this Act, and the descendants of such persons.

10 **5. Membership of Board**—(1) As soon as practicable after the commencement of this Act there shall be appointed by the Governor-General, on the recommendation of the Minister of Maori Affairs, such number of persons not exceeding 7 as he thinks fit to be the initial members of the Board.

15 (2) Each initial member shall be appointed for a term of 3 years.

(3) Thereafter the members of the Board shall be appointed in accordance with the provisions of the Maori Trust Boards Act 1955.

20 **6. Determination of beneficiaries of Board**—(1) As soon as practicable after the appointment of the initial members of the Board, the Board shall compile a list of those descendants of Tuperiri who are living and have attained full age, and shall lodge the list with the Registrar of the Tokerau District
25 of the Maori Land Court.

(2) Any person who considers that the list is erroneous or deficient in any way may lodge an objection with the Court before the expiration of the period specified in the notice published under subsection (3) of this section.

30 (3) The Registrar shall, by public advertisement in such newspapers circulating in the Auckland district as he thinks fit, give notice that the list has been lodged with him and is available for public inspection, and that any person who considers that the list is erroneous or deficient in any way may
35 lodge an objection with the Court at Auckland within the period specified in the notice.

(4) The Maori Land Court shall have jurisdiction to hear and determine all objections lodged under subsection (3) of this section, and shall, after the lapse of the time specified
40 for objection, proceed to deal with them as quickly as possible.

(5) There shall be no right of appeal against the Maori Land Court's decision in respect of any such objection.

(6) After determining all such objections, the Maori Land Court shall issue, as an order of the Court, a final list of the descendants of Tuperiri who are living and have attained full age.

7. Duties and powers of Board—(1) The principal duty of the Board shall be to hold, conserve, and administer, as a perpetual estate and turangawaewae for its beneficiaries, the land vested in the Board for that purpose by sections 9 to 11 of this Act, all of which land in the hands of the Board shall be Maori freehold land within the meaning of the Maori Affairs Act 1953.

(2) Subject to the provisions of this Act, the Board shall have all such reasonable powers and authorities as may be necessary to enable it to manage and develop the land and to provide services and amenities on the land, in the interests of the beneficiaries.

(3) Except as expressly provided by subsection (4) of this section and sections 9 (3) and 10 (2) of this Act, the Board shall not have power to sell or otherwise dispose of any land vested in it by this Act.

(4) The Board may lease any part of the land vested in it by this Act to any of its beneficiaries on such terms as it thinks fit, but no such lease shall be capable of being assigned to any person who is not a beneficiary of the Board, nor may any lessee or assignee of any lessee dispose of his interest under any such lease in any other way to any person who is not a beneficiary, or a widow or widower of a beneficiary, of the Board.

(5) The Board may, with the approval of the Maori Land Court, grant a mortgage over any part of the land vested in it by this Act, but no such mortgage shall be capable of conferring on the mortgagee, whether expressly or by implication of law, a right to sell any part of the mortgaged land in the event of default by the Board.

Cancellation of Certain Reservations

8. Certain land to be held by Crown under Land Act 1948—

(1) For the purposes of section 98 of the Public Revenues Act 1977, the pieces of land described in the First and Second Schedules to this Act shall be deemed to have been declared Crown land subject to the Land Act 1948 immediately before the commencement of this Act.

(2) The appointment of the Auckland City Council as the administering body of the land described in the Third Schedule to this Act is hereby revoked.

(3) The reservation of the land described in the said Third Schedule for recreation purposes is hereby revoked.

(4) The reservation of the land described in the Fourth Schedule to this Act for recreation purposes is hereby revoked.

Vesting of Certain Land for Various Purposes

10 **9. Vesting of land in Board for housing purposes—**(1) The land described in the First and Fifth Schedules to this Act is hereby vested in the Board for housing purposes.

(2) Without limiting anything in section 7 (2) of this Act, in developing the said land for housing purposes the Board
15 may undertake a subdivision of the land and lay out roadways to service any such development.

(3) The Board may also agree to the taking and dedication as a street, in accordance with the Municipal Corporations Act 1954, of any of the said land to service any such
20 development.

10. Vesting of land in Board for open space and recreation area—(1) The land described in the Sixth Schedule to this Act is hereby vested in the Board for the purpose of an open space and recreation area in perpetuity.

25 (2) Notwithstanding anything in subsection (1) of this section, the Board may at any time agree to the taking and dedication as a street, in accordance with the Municipal Corporations Act 1954, of the whole or any part of the land described in Part II of the Sixth Schedule to this Act.

30 (3) Without limiting anything in section 7 (2) of this Act, the Board may, with the consent of the Auckland City Council, appoint that Council as its agent to control and manage the whole or any part of the land described in the Sixth Schedule to this Act.

35 **11. Vesting of land in Board for church and burial ground—**(1) The land described in the Seventh Schedule to this Act is hereby vested in the Board for the purpose of addition to and inclusion in the existing Orakei Maori reservation.

40 (2) The existing Orakei Maori reservation referred to in subsection (1) of this section comprises the land reserved as a church site for the common use of Maoris in and around

Orakei, and for the purposes of a burial ground for the former owners of the Orakei No. 1 Reserve Block and their descendants, pursuant to section 439 of the Maori Affairs Act 1953 by Order in Council dated the 14th day of September 1955 and published in the *Gazette* of the 22nd day of September 1955 at page 1522. 5

(3) As soon as practicable after the commencement of this Act, the Board shall make application to the Maori Land Court for a recommendation by the Court that the land described in the Seventh Schedule to this Act and vested in the Board by subsection (1) of this section be included, pursuant to subsection (2) of section 439 of the Maori Affairs Act 1953, in the Maori reservation referred to in subsection (1) of this section. 10

12. Land adjacent to Orakei marae set apart for Maoris— 15
The land described in the Eighth Schedule to this Act is hereby set apart as a reserve for the use and benefit of Maoris, subject to the Reserves Act 1977.

13. Certain land set apart as reserves to be administered by Auckland City Council—(1) The land described in the Second, Ninth, and Tenth Schedules to this Act is hereby set apart as public reserve subject to the Reserves Act 1977. 20

(2) The land described in the Ninth Schedule to this Act is hereby classified as a recreation reserve.

(3) The land described in the Second and Tenth Schedules to this Act is hereby classified as a local purpose (site for community facilities) reserve. 25

(4) All the provisions of the Reserves Act 1977 shall apply in respect of the land described in the Second, Ninth, and Tenth Schedules to this Act as if the respective classifications had been made under that Act. 30

(5) The Auckland City Council is hereby appointed as the administering body to control and manage the reserves set apart by subsection (1) of this section.

14. Certain land vested in Housing Corporation—The land described in the Eleventh Schedule to this Act is hereby vested in the Housing Corporation of New Zealand, established by section 3 of the Housing Corporation Act 1974, for housing purposes. 35

15. Certain land set aside as reserve to be administered by Youthline Trust (Incorporated)—(1) The land described in the Twelfth Schedule to this Act is hereby set apart as public reserve subject to the Reserves Act 1977.

5 (2) The land described in the Twelfth Schedule to this Act is hereby classified as a local purpose (community health) reserve, and all the provisions of the Reserves Act 1977 shall apply in respect of the land as if it had been so classified under that Act.

10 (3) The Youthline Trust (Incorporated) is hereby appointed as the administering body to control and manage the reserve set apart by subsection (1) of this section.

Payment of Sum by Way of Equalisation

16. Board to pay amount to Crown by way of equalisation—

15 In consideration of the Crown agreeing to provision being made as appears in this Act, the Board shall pay to the Crown the sum of \$200,000.

Miscellaneous Provisions

20 **17. Land to be zoned and designated for specified purposes**—(1) Notwithstanding anything in the Town and Country Planning Act 1977, or in any regional planning scheme or district scheme (within the meaning of that Act), the land described in the first column of the Thirteenth Schedule to this Act shall be zoned for the purposes shown
25 in the second column of that Schedule and designated for the purposes (if any) shown in the third column of that Schedule.

(2) No such zoning or designation shall be subject to objection or appeal, whether under the Town and Country
30 Planning Act 1977 or otherwise.

(3) Notwithstanding anything in the Town and Country Planning Act 1977, the Auckland City Council shall make appropriate provision in its district scheme in accordance with subsection (1) of this section, and shall notify every
35 objector that it has done so and that, by virtue of subsection (2) of this section, there is no right of objection or appeal against any such provision in the scheme.

(4) For the purposes of subsection (1) of this section, the
00 term "objector", in relation to any matter provided for by
40 subsection (1) of this section, means a person who, under the Town and Country Planning Act 1977, would have been entitled to object or appeal if that matter had been dealt with pursuant to that Act by the Auckland City Council.

18. No reserve contributions to be required on subdivision—
 Notwithstanding anything in section 351A (c) (i) or section 351c of the Municipal Corporation Act 1954, neither the Crown nor the Housing Corporation of New Zealand nor the Board shall be liable to make provision for reserves, or to pay any sum in lieu thereof, in respect of any subdivision of land undertaken or to be undertaken for the purposes of this Act, or any subdivision of any land to which this Act applies undertaken or to be undertaken at any time by the Crown or the said Corporation or the Board.

19. Auckland City Council empowered to use certain funds for improvement of reserve—(1) Notwithstanding anything in the Municipal Corporations Act 1954, if, in accordance with section 10 (3) of this Act, the Board appoints the Auckland City Council to be its agent to control and manage the whole or any part of the land described in the Sixth Schedule to this Act, the Council may, at any time while the appointment subsists, expend for the purpose of improving and developing any of the land described in that Schedule—

- (a) Any money borrowed by the Council for the purpose of improving and developing any of the land described in the Ninth and Tenth Schedules to this Act; and
 - (b) Any money for the time being credited to a special fund under section 351c (4) of the Municipal Corporations Act 1954.
- (2) No expenditure of money by the Auckland City Council pursuant to subsection (1) of this section shall create a trust in favour of the Council.

20. Registrars to give effect to provisions of this Act—
 Notwithstanding anything in any other enactment, the District Land Registrar and the Registrar of the Maori Land Court shall, without fee, make all such entries in any register or other record kept by him, and do all such other things, as may be necessary to give full effect to the provisions of this Act, and shall, on request, issue to the Crown or the Housing Corporation of New Zealand or the Board (as the case may require) a certificate of title or other instrument of title in respect of any land vested in the Crown or the said Corporation or the Board by this Act.

SCHEDULES

FIRST SCHEDULE Sections 8 (1), 9 (1)

First, all that parcel of land in the North Auckland Land District, containing 1.8223 hectares, more or less, being Lots 1 to 19 on Deposited Plan 40823, situated in Blocks VIII and IX, Rangitoto Survey District, being the whole of the land comprised and described in certificates of title, Volume 19D, folios 1320 to 1338, North Auckland Registry; and

Secondly, all that parcel of land in the North Auckland Land District, containing 5308 square metres, more or less, being Lots 30 to 34 on Deposited Plan 37786, situated in Blocks VIII and IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 1075, folio 107, North Auckland Registry; and

Thirdly, all that parcel of land in the North Auckland Land District, containing 3285 square metres, more or less, being Lots 2 to 4 on Deposited Plan 39988, situated in Block VIII, Rangitoto Survey District, and being the whole of the land in certificate of title, Volume 31C, folios 302 to 304, North Auckland Registry.

SECOND SCHEDULE Sections 8 (1), 13

All that parcel of land in the North Auckland Land District, containing 277 square metres, more or less, being Section 816, Town of Orakei (formerly part Orakei 4A4 Block), being the whole of the land comprised and described in certificate of title, Volume 22B, folio 1184, North Auckland Registry (S.O. Plan 53256).

THIRD SCHEDULE Section 8 (2), (3)

First, all that parcel of land in the North Auckland Land District, containing 1721 square metres, more or less, being Section 792, Town of Orakei (formerly part Section 711, Town of Orakei), situated in Block IX, Rangitoto Survey District, being part of the land described in *Gazette*, 1954, p. 1340 and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53252); and

Secondly, all that parcel of land in the North Auckland Land District, containing 9 square metres, more or less, being Section 793, Town of Orakei (formerly part Section 711, Town of Orakei), situated in Block IX, Rangitoto Survey District, being part of the land described in *Gazette*, 1954, p. 1340, and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53252); and

Thirdly, all that parcel of land in the North Auckland Land District, containing 2012 square metres, more or less, being Section 802, Town of Orakei (formerly part Section 717, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land shown in Deeds Index Volume 15A, folio 411 and part of the land comprised and described in certificate of title, Volume 469, folio 233, North Auckland Registry (S.O. Plan 53255).

Section 8 (4)

FOURTH SCHEDULE

First, all that parcel of land in the North Auckland Land District, containing 901 square metres, more or less, being Section 801, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53253); and

Secondly, all that parcel of land in the North Auckland Land District, containing 1904 square metres, more or less, being Section 803, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53256); and

Thirdly, all that parcel of land in the North Auckland Land District, containing 958 square metres, more or less, being Section 805, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53256); and

Fourthly, all that parcel of land in the North Auckland Land District, containing 3438 square metres, more or less, being Section 813, Town of Orakei (formerly part Section 682, Town of Orakei) situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53258); and

Fifthly, all that parcel of land in the North Auckland Land District, containing 234 square metres, more or less, being Section 815, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53258); and

Sixthly, all that parcel of land in the North Auckland Land District, containing 1243 square metres, more or less, being Section 812, Town of Orakei (formerly part Section 681, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53257).

Section 9 (1)

FIFTH SCHEDULE

First, all that parcel of land in the North Auckland Land District, containing 1102 square metres, more or less, being Lot 3 on Land Transfer Plan 50515, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1962, p. 2013 and part of the land comprised and described in certificate of title, Volume 1162, folio 29, North Auckland Registry; and

FIFTH SCHEDULE—*continued*

Secondly, all that parcel of land in the North Auckland Land District, containing 2.8725 hectares, more or less, being Section 799, Town of Orakei, situated in Blocks VIII and IX, Rangitoto Survey District, and being the land described in *Gazettes*, 1917, p. 2051 and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295, Volume 1162, folio 29, and Volume 1803, folio 13, North Auckland Registry (S.O. Plan 53254); and

Thirdly, all that parcel of land in the North Auckland Land District, containing 4148 square metres, more or less, being Section 800, Town of Orakei, situated in Blocks VIII and IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1962, p. 2013 and part of the land comprised and described in certificate of title, Volume 1162, folio 29, North Auckland Registry (S.O. Plan 53254); and

Fourthly, all that parcel of land in the North Auckland Land District, containing 1.1429 hectares, more or less, being Section 810, Town of Orakei, situated in Block VIII, Rangitoto Survey District, and being part of the land described in *Gazette*, 1917, p. 2051 and being part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53257).

SIXTH SCHEDULE

Section 10

PART I

First, all that parcel of land in the North Auckland Land District, containing 2.0123 hectares, more or less, being Section 796, Town of Orakei, situated in Blocks VIII and IX, Rangitoto Survey District, and being part of the land described in *Gazettes*, 1917, p. 2051 and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295 and Volume 1162, folio 29, North Auckland Registry (S.O. Plan 53253); and

Secondly, all that parcel of land in the North Auckland Land District, containing 1720 square metres, more or less, being Section 797, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazettes*, 1917, p. 2051 and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295, Volume 1162, folio 29, and Volume 1803, folio 13, North Auckland Registry (S.O. Plan 53253).

PART II

First, all that parcel of land in the North Auckland Land District, containing 1.9073 hectares, more or less, being Section 795, Town of Orakei, situated in Blocks VIII and IX, Rangitoto Survey District, and being part of the land described in *Gazettes*, 1917, p. 2051 and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295 and Volume 1162, folio 29, North Auckland Registry (S.O. Plan 53253); and

Secondly, all that parcel of land in the North Auckland Land District, containing 901 square metres, more or less, being Section 801, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53253).

Section 11

SEVENTH SCHEDULE

All that parcel of land in the North Auckland Land District, containing 2012 square metres, more or less, being Section 802, Town of Orakei (formerly part Section 717, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land described in *Gazette*, 1954, p. 1340, part of the land shown in Deeds Index Volume 15A, folio 411, and part of the land comprised and described in certificate of title, Volume 469, folio 233, North Auckland Registry (S.O. Plan 53255).

Section 12

EIGHTH SCHEDULE

First, all that parcel of land in the North Auckland Land District, containing 1721 square metres, more or less, being Section 792, Town of Orakei (formerly part section 711, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1954, p. 1340 and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53252); and

Secondly, all that parcel of land in the North Auckland Land District, containing 9 square metres, more or less, being Section 793, Town of Orakei (formerly part section 711, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1954, p. 1340 and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53252); and

Thirdly, all that parcel of land in the North Auckland Land District, containing 94 square metres, more or less, being Section 794, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1917, p. 2051, part of the land described in section 11 of the Reserves and Other Lands Disposal Act 1941, and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53252).

Section 13

NINTH SCHEDULE

First, all that parcel of land in the North Auckland Land District, containing 1904 square metres, more or less, being Section 803, Town of Orakei (formerly part section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53256); and

Secondly, all that parcel of land in the North Auckland Land District, containing 10.2759 hectares, more or less, being Section 804, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1917, p. 2051, part of the land described in section 11 of the Reserves and Other Lands Disposal Act 1941, and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53256); and

NINTH SCHEDULE—*continued*

Thirdly, all that parcel of land in the North Auckland Land District, containing 1.1367 hectares, more or less, being Section 811, Town of Orakei, situated in Block VIII, Rangitoto Survey District, being part of the land described in *Gazette*, 1917, p. 2051 and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53257); and

Fourthly, all that parcel of land in the North Auckland Land District, containing 1243 square metres, more or less, being Section 812, Town of Orakei (formerly part Section 681, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53257); and

Fifthly, all that parcel of land in the North Auckland Land District, containing 3438 square metres, more or less, being Section 813, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block VIII, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53258); and

Sixthly, all that parcel of land in the North Auckland Land District, containing 2211 square metres, more or less, being Section 814, Town of Orakei, situated in Blocks VIII and IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1917, p. 2051 and part of the land comprised and described in certificate of title, Volume 276, folio 295, North Auckland Registry (S.O. Plan 53258); and

Seventhly, all that parcel of land in the North Auckland Land District, containing 234 square metres, more or less, being Section 815, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block VIII, Rangitoto Survey District, being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53258).

TENTH SCHEDULE

Section 13

First, all that parcel of land in the North Auckland Land District, containing 958 square metres, more or less, being Section 805, Town of Orakei (formerly part Section 682, Town of Orakei), situated in Block IX, Rangitoto Survey District, and being part of the land comprised and described in certificate of title, Volume 961, folio 198, North Auckland Registry (S.O. Plan 53256); and

Secondly, all that parcel of land in the North Auckland Land District, containing 6563 square metres, more or less, being Section 806, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazettes*, 1917, p. 2051, and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295 and Volume 1957, folio 91, North Auckland Registry (S.O. Plan 53256).

Section 14

ELEVENTH SCHEDULE

All that parcel of land in the North Auckland Land District, containing 1.7986 hectares, more or less, being Section 808, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazettes*, 1917, p. 2051, 1938, p. 149, and 1962, p. 2013 and parts of the land comprised and described in certificates of title, Volume 276, folio 295, Provisional Register 189, folio 82, and Volume 1632, folio 44, North Auckland Registry (S.O. Plan 53256).

Section 15

TWELFTH SCHEDULE

All that parcel of land in the North Auckland Land District, containing 4304 square metres, more or less, being Section 798, Town of Orakei, situated in Block IX, Rangitoto Survey District, and being part of the land described in *Gazette*, 1962, p. 2013 and part of the land comprised and described in certificate of title, Volume 1803, folio 13, North Auckland Registry (S.O. Plan 53254).

Section 17 (1)

THIRTEENTH SCHEDULE

Section No., Town of Orakei	Zoning	Designation
792, 793, 794	Recreation B	Marae
795	Recreation B	Proposed street and parking area
796, 797	Recreation B	
798	Residential E	
799	Residential D	
800	Residential D	
801	Recreation B	Proposed street and parking area
802	Recreation B	Cemetery purposes
803, 804, 805, 806	Recreation B	
808, 810	Residential D	
811, 812, 813, 814, 815, 816	Recreation B	