

# Waikato Header Sheet



**11084**

**Box Name:** EKMT-00017

**Subject:** 54/16/1 (Vol.1) - Otorohanga County Council - Reclamations - Aotea Harbour (1914-1984)

54/16/1

16 May 1985

The Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAHIA HARBOUR


Further to our letter of 13 November 1984 concerning the Council's proposed reclamation - file 9/1/3.

As the results of the Waitangi Tribunal Hearings will not be known till at the earliest, November 1985, plans for the reclamation have been approved in terms of the Harbours Act 1950.

... A copy of the approved plans are attached.

The Council is recommended to take the Tribunal's findings into consideration when they become known.

Yours faithfully



M.P. Boland  
for Secretary for Transport

Encl

cc

Regional Secretary  
AUCKLAND

Attention: P.D. Spackman

FILED BY YR  
FILER No: 13

FILE  
16/5/85  
Initials: 8

1685/Trv

DISPATCHED  
17 MAY 1985  
by RECORDS



54/16/1

13 November 1984

The Chief Engineer  
Otorohanga District Council  
PO Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

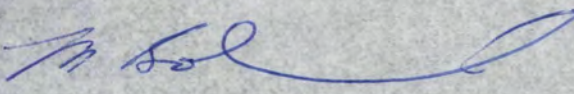
Further to our letter of 12 September 1984 concerning the Council's proposed reclamation. Your ref. 9/1/3.

As you are probably aware the use and development of Kawhia Harbour has been raised in the Waitangi Tribunal hearings.

Accordingly the Ministry is awaiting advice on the results of the Tribunal's findings prior to making a decision on the plans.

This is expected shortly and once received I shall contact you forthwith.

Yours faithfully

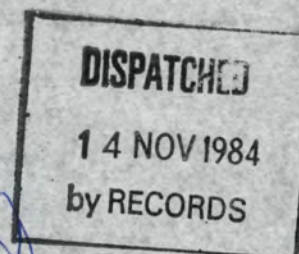
  
M P Boland  
for Secretary for Transport

cc

Regional Secretary  
AUCKLAND

Attention: P D Spackman

13K4/Tri



Bm 13/2/84  
Bm 10/2/85  
Bm 10/4/85  
Bm 10/5/85



## Work Sheet: Harbours Act 1950

Purpose for which foreshore  
water etc required:

Plan No. M.D. **16270**  
3 Sets of 1 sheets

RECLAMATION

NZMS 261 sheet ..... checked .....

Part 1

- (a) Name of Applicant: OTOROHANGA DISTRICT COUNCIL  
(b) Location: Grown/Endowment/S165: KAWHIA HARBOUR  
(c) Environmental Assessment: ADEQUATE

Part 2

- (a) Report from Marine Engineer is unnecessary/OK: see 8.10.84  
(b) Report from Nautical Adviser is unnecessary/OK: see 19.10.84  
(c) Approvals from Harbour Board/Local Body received/  
unnecessary: see -  
(d) Report from Road Transport to unnecessary/OK : see -  
(e) Other (as appropriate) : see -  
: see -  
: see -

Part 3 - Recommendation

I RECOMMEND YOU APPROVE THE  
ATTACHED PLAN PURSUANT TO S.178(b)  
OF THE HARBOURS ACT 1950

Order in Council signed 19/4/1985

Signature B.L.D. Date 24/10

Part 4 - Approvals

Section 178 - Plan MD 16270

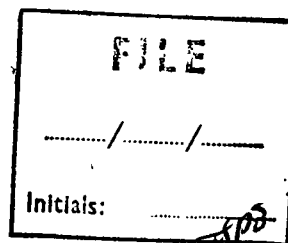
Approved B.A. Ranger Date 24/10/84

OtherPart 5

## Harbours Section Action

1. Plan - letter despatched -  
2. Nautical require completion  
date -  
3. Bring up -

Initials - Date -





File Ref: 84/16/1

Ministry of Transport

1. Nautical Section

2. ~~Deputy Nautical Adviser~~

Would you please examine the attached proposal and if possible issue your approval and/or conditions to the work.



Harbours & Foreshores Section

18 /10/84.

No objections re safety of  
Navigation.

*McKinnon* N/A

19.10.84

FILE
____/____/____
Initials: _____



# Ministry of Works and Development

District Office

Dey St.

Private Bag, Hamilton

Telephone 62 899. Telex NZ 2777

Inquiries to Mr D T Crossman

Date 8 October 1984

The Commissioner of Works

ATTENTION : Chief Civil Engineer

HARBOURS ACT 1950 : RECLAMATION  
KAWHIA HARBOUR : OTOROHANGA DISTRICT COUNCIL

... The Secretary for Transport has requested a report on the above  
reclamation to your office. Copies of the relevant papers are  
attached.

An inspection was undertaken on the 27 September 1984 of the site  
for the proposed reclamation works. As best can be ascertained, the  
public interest will be served by the performance of the proposed  
works. The claimed area will be an asset to the community, extending  
the existing recreation area significantly.

The construction technique should not result in excessive discoloura-  
tion of the harbour water. The proposed fill type has been used for  
earlier reclamation works adjacent to the proposed works, and has  
performed satisfactorily. The reclamation area is very sheltered and  
erosion of the fill is not anticipated.

The area is not a wildlife reserve, hence the ecological impact  
should be minor; particularly as the extent of works is limited.

*D T Crossman*  
D T Crossman  
for District Commissioner of Works

Encl

FILE
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Initials: .....

Harbours Section

MOT att Mr MP Boland

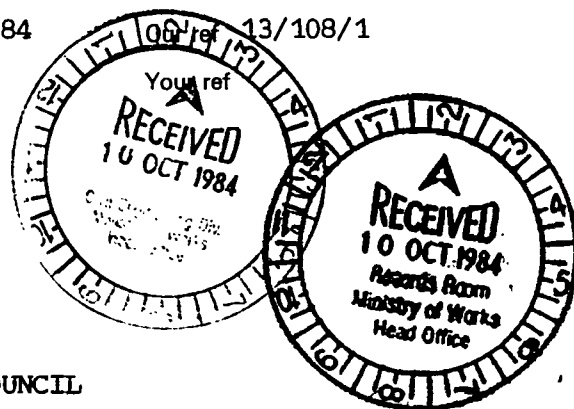
It appears that this is a locality where similar reclamation has been effected in the past, in a  
satisfactory manner.

By reference to the above report & the Environmental Information, especially the small area of  
proposed reclamation 825 m<sup>2</sup> - Recommended for approval

*Alan Smith*  
(for Marine Works Engineer)

Background sighted is one page of Environmental Information  
as attached to this DCW's report 13/10/84 dated  
8/10/84.

63/324  
16/10/84



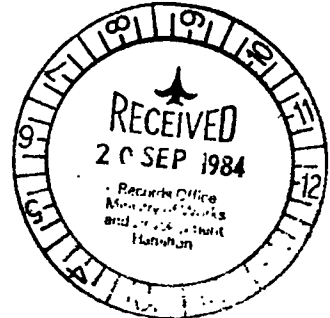
84/16/1-

13/108/1

5

Our Ref: 54/16/1  
Your Ref: 9/1/3

12 September 1984



The County Clerk  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Attention: Mr M.W.M. Cornwall  
Chief Engineer

Dear Sir

RECLAMATION: KAWHIA HARBOUR

Thank you for your letter of 6 September 1984 enclosing environmental information for the proposed reclamation.

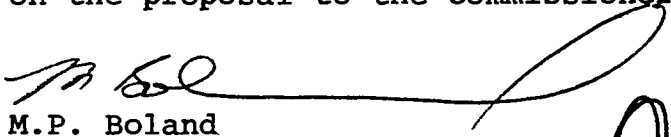
Technical reports are being obtained and once these have been received I shall contact you again.

Yours faithfully

M.P. Boland  
for Secretary for Transport

c.c. District Commissioner of Works  
Ministry of Works & Development  
Private Bag  
HAMILTON

Would you please report in terms of the Harbours Act 1950 on the proposal to the Commissioner of Works, Wellington.

  
M.P. Boland  
for Secretary for Transport

B/U AKA  
20/9/84  
20.84



# RECLAMATION KAWHIA HARBOUR

## ENVIRONMENTAL INFORMATION

### Proposal

The proposed reclamation will extend a very limited public recreation area into one of a more useful size. It is the only area of any consequence available to day tripping travellers who may wish to picnic or passively enjoy viewing the harbour activity. It is handy to the main shopping area and is well served by parking areas.

### Environmental Impact

The foreshore to be reclaimed is part of a small muddy inlet which is thought to have very little environmental significance. The main drain through the community drains into the inlet and would be piped through the reclamation in a workmanlike and tidy manner.

### Steps to be Taken to Minimise Impacts

The reclamation work will be undertaken by Council staff, probably over a period of about three months. The fill material will be assorted clays being back loads from Council road works. The seaward face of the reclamation is to be lined with Kikuyu grass which has been very successfully used around the existing shoreline. Kikuyu grass gives a very natural look to the shoreline as opposed to the harshness of rocks.

### Alternatives

The site is seen as the most suitable for expansion of esplanade area in Kawhia. A small area of privately owned land does exist immediately to the south of the reclamation area. There are four sections in various states of development which Council plans to purchase as they become available. These will be used for car and trailer parking associated with the wharf and adjacent boat ramp. Along all other lengths of foreshore within the community area there is either poor access or no flat land which can be developed. The attached aerial photograph shows the nature of the foreshore in the vicinity of the community centre.

### Present Usage

A derelict set of piles is the only permanent structure in the inlet. The high tide line is distinguished by an area covered in reeds, with the inter tidal area being an unused muddy area of no consequence. Over the years there have been spasmodic incremental reclamations as shown on the plan presented to you with our letter of 19 July.

### Tidal Currents, Water Flows

The inlet is not subject to any longitudinal currents and is quite stable. The only wind likely to cause erosion in the area is a south easterly wind, which because of the sheltered location is not thought to give rise to a significant problem. As mentioned previously the main drain for the community flows into the inlet and will be piped under the reclamation.

### Areas and Tenure

The area of reclamation is about 825 square metres. The adjoining foreshores have no titles or surveyed boundaries. Informal discussions with the Chief Surveyor, Hamilton suggest because the land is to be used for public purposes with no buildings or improvements of any consequence, that a formal survey and issuing of title for the reclamation would not be required.

Our Ref: 54/16/1  
Your Ref: 9/1/3

12 September 1984

The County Clerk  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Attention: Mr M.W.M. Cornwall  
Chief Engineer

Dear Sir

RECLAMATION: KAWHIA HARBOUR

Thank you for your letter of 6 September 1984 enclosing environmental information for the proposed reclamation.

Technical reports are being obtained and once these have been received I shall contact you again.


Yours faithfully

  
M.P. Boland  
for Secretary for Transport



c.c. District Commissioner of Works  
Ministry of Works & Development  
Private Bag  
HAMILTON

Would you please report in terms of the Harbours Act 1950 on the proposal to the Commissioner of Works, Wellington.

  
M.P. Boland  
for Secretary for Transport

b/w 22/10/84

T. Law.

54/16/1

# Otorohanga District Council

Maniapoto Street, Otorohanga.

P.O.Box 11,

Telephone : OHA-8199,

Our Reference: 9/1/3.

Date: 6 September 1984

Inquiries to: Mr Cornwall

The Secretary for Transport,  
Ministry of Transport,  
Private Bag,  
WELLINGTON, 1.



ATTENTION TO MR T.E. LAW

Your Reference:

Dear Sir,

## RECLAMATION : KAWHIA HARBOUR

Thank you for your letter ref 54/16/1 of 25 July 1984.

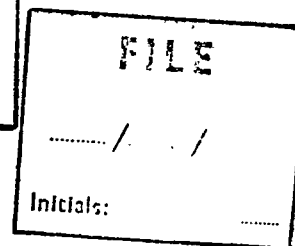
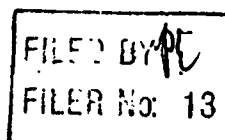
Please find enclosed a submission on environmental information which hopefully will be to your approval. - WITH PLANS

Please contact me if you require any further information or elaboration.

Yours faithfully,

  
M.W.M. CORNWALL  
CHIEF ENGINEER

Encls:- Report  
Aerial Photograph



EPS 11/9



Our Reference: 54/16/1  
Your Reference: 9/1/3

25 July 1984

The Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

Thank you for your letter of 19 July 1984 enclosing two copies of the plan of the proposed reclamation of part of the Kawhia Harbour for approval in terms of section 178 of the Harbours Act 1950.

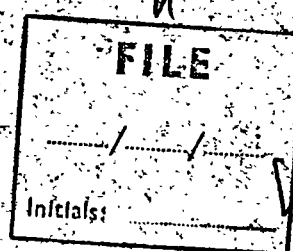
I refer you to my letter of 11 September 1978 in which I detailed this Ministry's requirement in respect of environmental documentation required to accompany plans of this proposal. A copy of the Ministry's booklet "A Guide to Reclamation Procedures" was enclosed with my letter and pages 16-17 generally outlined the environmental information that was required. A further copy of the booklet is attached. You will note that the environmental documentation will be required to include justification of the proposal and give reasons why no alternatives are available.

The Ministry will arrange for technical reports on the proposed reclamation upon receipt of the environmental documentation.

Yours faithfully

T.B. Law  
for Secretary for Transport

Encl.



B/U 10/12/84

c.c. The Regional Secretary  
AUCKLAND

Attention : P.D. Spackman

Copy for your information.

DISPATCHED  
26 JUL 1984  
by RECORDS

3/10

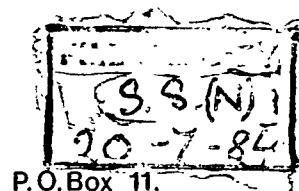
T.E. Law  
for Secretary for Transport

576

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Initials: \_\_\_\_\_

# Otorohanga District Council

Maniapoto Street, Otorohanga.



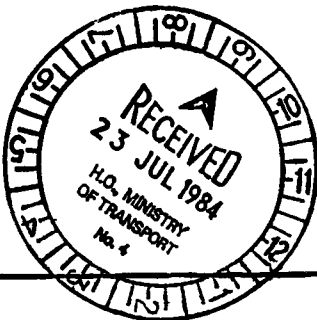
Telephone : OHA-8199,

Our Reference: 9/1/3

Date: 19 July 1984

Inquiries to: Mr Cotter

M.P. Boland,  
Ministry of Transport,  
Head Office,  
Private Bag,  
WELLINGTON.



Your Reference: 54/16/1

Dear Sir,

Enclosed please find two copies of a plan and cross section of the proposed reclamation of Kawhia Harbour.

These plans are for deposit at your office in terms of section 178 of the Harbours Act.

The mode of reclamation is to be by trucked in clean fill material. This work will be done in an organised manner by the Otorohanga District Council with the local service clubs involved with the parkland development.

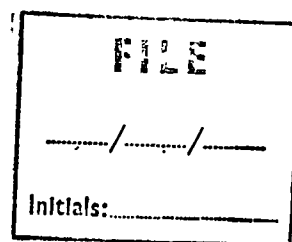
Should you require any further information I will be pleased to forward this to you.

Yours faithfully,



M.W.M. CORNWALL  
CHIEF ENGINEER

Encl: 2 copies of plan



TSPS  
24/7



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**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6177**

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**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6178**

54/16/1

22 June 1984

The Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

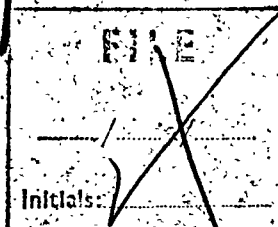
Further to our letters of 22 April 1983 and 17 April 1984  
regarding the Council's proposed reclamation of part of the  
Kawhia Harbour.

Advice of the Council's present position on this matter would  
be appreciated.

Yours faithfully



M.P. Boland  
for Secretary for Transport



B/U 70/10/84



54/16/1

17 April 1984

The Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

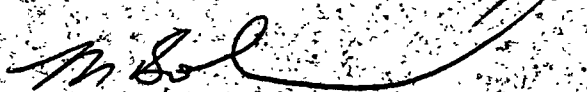
Dear Sir

RECLAMATION : KAWHIA HARBOUR

Further to our letter of 22 April 1983 on the Council's  
proposed reclamation of part of the Kawhia Harbour.

Would you please advise the Council's present position and  
when the necessary plans and documents will be forwarded for  
consideration under the Harbours Act 1950.

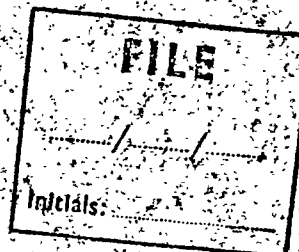
Yours faithfully



M.P. Boland  
for Secretary for Transport



B/M 20.6.84

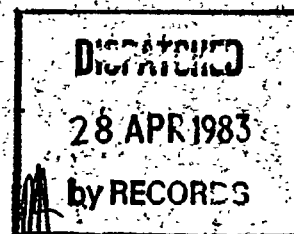


6/2 20/6

Our Ref: 54/16/1  
Your Ref: 9/1/4

22 April 1983

The Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA



Dear Sir

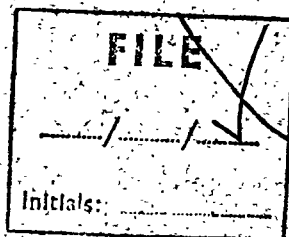
RECLAMATION: KAWHIA HARBOUR

I refer to previous correspondence regarding the above proposed reclamation.

To enable me to keep my records up to-date would you please advise if your Council still intends to carry out the reclamation. If so, when is it expected that the necessary plans and documents will be prepared for consideration under the Harbours Act 1950.

Yours faithfully

*AV*  
A. Vitali, Miss  
for Secretary for Transport



*2018 16/4*  
*b/u 15/4/84*

*b/u 15/10/83*

(T. Law) L&F

54/16/1

# Otorohanga District Council

Maniapoto Street, Otorohanga.

P.O. Box 11.

Telephone: 8199.

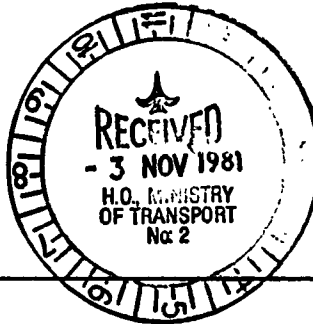
Our Ref: 9/1/4

Date: 29 October 1981

Inquiries to: Mr Cornwall.

The Secretary of Transport,  
Ministry of Transport,  
Private Bag,  
WELLINGTON.

FOR MR T. E. LAW



Your Ref:

Dear Sir,

RECLAMATION : KAWHIA HARBOUR

Thank you for your letter of 22 October 1981.

Unfortunately due to pressure of work there is no likelihood of progress with plans or work for some time yet. You can be assured that we will contact you with plans for approval when time allows.

Yours faithfully,

M.W.M. CORNWALL  
CHIEF ENGINEER

FILE
...../...../.....
Initials: .....

BRING-UP
25/11/82
Initials: .....

B/u 22/5/82

7/11

again ✓ 24/8/82

again ✓ 24/10/82

7/11

B/u 1/4/83 ✓

✓ B/u 20/4/83

54/16/1  
9/1/4

22 October 1981

✓ Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWIA HARBOUR

My letter of 18 February 1981 refers.

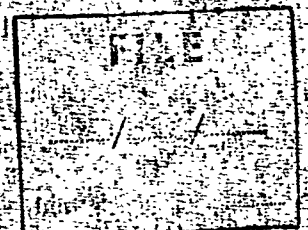
Would you please advise if there have been any developments in respect of the preparation of plans of the above proposed reclamation.

Yours faithfully

*T.E. Law*  
T.E. Law  
for Secretary for Transport



B/4 22/1/82  
JPC



TEL/IM

54/16/1

9/1/4

18 February 1981

✓ Chief Engineer  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

Your letter of 15 July 1980 advised that the preparation of plans of the above project had been put aside at that time.

I would be grateful if you would advise when this office may expect to receive plans and environmental impact statement on the project.

Yours faithfully

T. E. Law  
for Secretary for Transport

B/u again 19/10/81  
110

B/u 19/6/81  
100



# Otorohanga District Council

Maniapoto Street, Otorohanga.

P.O. Box 11.

Telephone: 8199.

Our Ref: 9/1/4

Date: 15 July 1980

Inquiries to: Mr Pevreal

The Secretary of Transport,  
Ministry of Transport,  
Private Bag,  
WELLINGTON.



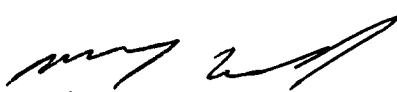
Your Ref:

Dear Sir,

## RECLAMATION - KAWHIA HARBOUR

I refer to your letter of 4 June 1980 (your ref. 54/16/1) and advise that although the project is planned, time is not available at the present time to complete the necessary papers and plans for this project. They will be forwarded as soon as they have been prepared.

Yours faithfully,

  
M.W.M. CORNWALL  
CHIEF ENGINEER

B/u below  
482.

B/u 16/2/81  
782

H x F

<b>BRING-UP</b> 17/11/80 Initials: <i>8</i>	<b>FILE</b> _____ Initials: _____
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TEL/LM

54/16/1

4 June 1980

The District Clerk  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

I refer to my letter of 29 November 1979 in which I requested the information as to when we may expect to receive the necessary papers, plans and documents to allow this Ministry to consider the proposed reclamation in Kawhia Harbour.

It is noted from previous correspondence that an Order in Council for the reclamation is current however that the necessary papers and plans are required for consideration of the proposal pursuant to section 178(b) of the Harbours Act 1950.

We would be grateful if you would advise when we may expect to receive copies of the necessary documents for consideration pursuant to revisions of the Harbours Act.

If the time-tabling of this project has been delayed would you please advise this office accordingly.

Yours faithfully

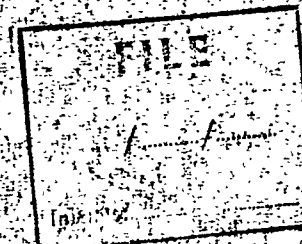
*T.E.L.*  
T. E. Law  
for Secretary for Transport

DISPATCHED

- 9 JUN 1980

by RECORDS

B/n 20/10/80 ✓





2.  
The Regional Secretary  
Ministry of Transport  
AUCKLAND

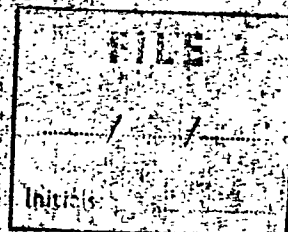
ATTENTION: P. D. Spackman

Copy for your information.

... Enclosed are copies of correspondence relating to this matter. Any assistance you may be able to give in obtaining the necessary documents would be appreciated.

T. E. Law  
for Secretary for Transport

Encl.



54/16/1

29 November 1979

The District Clerk  
Otorohanga District Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

**RECLAMATION : KAWHIA HARBOUR**

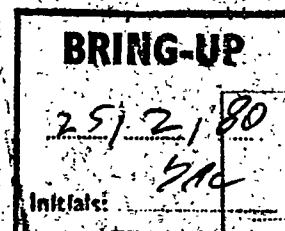
I refer to your letter of 3 August 1979 in which you advised that the necessary papers, plans and environmental assessment would be forwarded to this Ministry later in the year would be available to allow the Ministry to consider the proposal by the Kawhia Community Council to reclaim an area of land at Kawhia Harbour.

We would be grateful if you would advise this office of the further developments which have occurred in respect of the obtaining of the necessary papers, plans and documents to allow this Ministry to consider the proposal in terms of the Harbours Act.

I look forward to receiving your reply at your earliest convenience.

Yours faithfully

T.E. Law  
for Secretary for Transport



B/U 2/6/80

Mr T Law - Hrf

54/16/11

# Otorohanga District Council

Maniapoto Street, Otorohanga.

P.O. Box 11.

Telephone: 8199.

Our Ref: JLP:CMJV

Date: 3 August 1979

Inquiries to: Mr J. Pevreal

The Secretary for Transport,  
Ministry of Transport,  
Private Bag,  
WELLINGTON.

ATTENTION: T.E. LAW



Your Ref:

Dear Sir,

## RECLAMATION : KAWHIA HARBOUR

I refer to your letter of 1 August 1979 and advise that as earlier stated the necessary data is expected to be forwarded later this year.

Yours faithfully,

D. L. BEVAN  
DISTRICT CLERK

B/v Belam  
HPC

<b>FILE</b>
____/____/____
Init: _____

54/16/1

1 August 1979

The County Clerk  
Otorohanga County Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

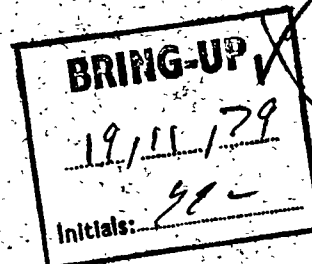
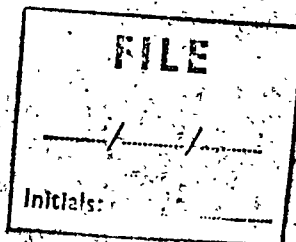
I refer to your letter of 2 February 1979 in which you advised that the Kawhia Community Council had indicated the area which they wish to be preclaimed.

In your letter of the above date you also mentioned that the necessary papers, plans and assessment would be available for forwarding to this Ministry later in the year.

I would be grateful if you would advise if there has been any developments in respect of the completion of these papers to allow this Ministry to consider the proposal pursuant to the provisions of the Harbours Act 1950.

Yours faithfully

*T.E.*  
T.E. Law  
for Secretary for Transport



Mr Law HLF

54 / 16 / 11

# Otorohanga County Council

Maniapoto Street, Otorohanga.

P.O. Box 11.

Telephone: 8199.

Our Ref: 9/1/3

Date: 9 February 1979

Inquiries to: Mr J. Pevreal

The Secretary,  
Ministry of Transport,  
Private Bag,  
WELLINGTON.



Attention T.E. Law

Your Ref:

Dear Sir,

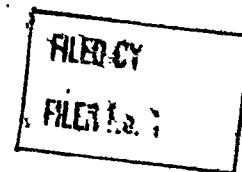
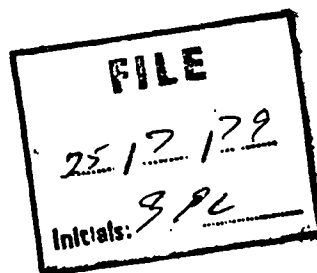
## RECLAMATION : KAWHIA HARBOUR

I acknowledge receipt of your letter of 25 January 1979 and advise that the Kawhia Community Council have indicated the area of the Kawhia Foreshore that they wish to be reclaimed. The information required to make application to your Ministry for the proposed reclamation is being compiled and will be forwarded later this year.

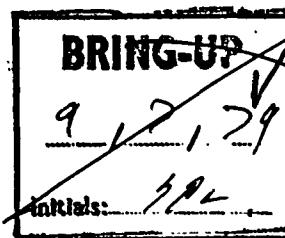
Yours faithfully,

A handwritten signature in cursive script, appearing to read 'D.L. Bevan'.

D.L. BEVAN  
COUNTY CLERK



*BTu*  
*100*



TEL:MHISLOP

54/16/1

DLB:CMJV

25 January 1979

The County Clerk  
Otorohanga County Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

I refer to my letter of 11 September 1978 in which I discussed various aspects relating to the reclamation of an area of harbour bed at Kawhia.

I should be grateful if you would advise this office when I may expect to receive a copy of the plan of the above proposed work for consideration pursuant to Section 178 of the Harbours Act 1950. If the plan is now available for consideration pursuant to that section, would you also enclose a copy of the environmental impact assessment as discussed in the pamphlet dealing with reclamation procedures which was recently forwarded to you.

I should be grateful if you would advise this office of your Council's intentions concerning the above reclamation and when we may expect to receive copies of the necessary documents to allow further consideration.

I look forward to receiving your reply as soon as possible.

Yours faithfully

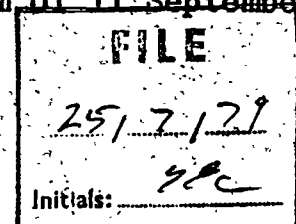
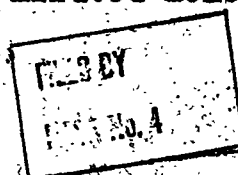
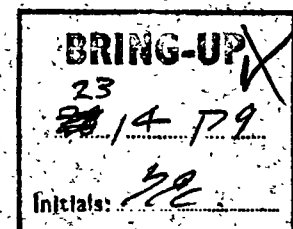
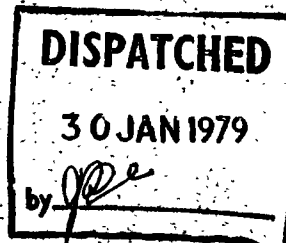
*gpc*  
T.E. Law  
for Secretary for Transport

The Regional Secretary  
AUCKLAND

Attention: D.J. Grieg

Copy for your information. My minuted memorandum of 11 September 1978 refers.

*gpc*  
T.E. Law  
for Secretary for Transport



REL:IEW

Our: 54/16/1  
Your: DLB:CMJV

11 September 1978

Reg 162  
The County Clerk  
Otorohanga County Council  
P.O. Box 11  
OTOROHANGA

Dear Sir

RECLAMATION : KAWHIA HARBOUR

I refer to your letter of 24 August 1978.

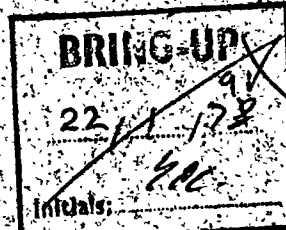
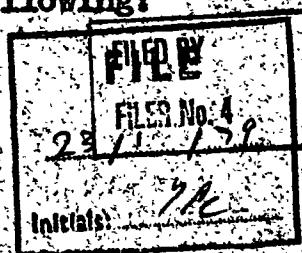
On 2 June 1914, the Kawhia County Council applied for an Order in Council authorising that body to reclaim an area not exceeding five acres of foreshore fronting the town of Kawhia.

I have been able to locate the plan MD 4323 and I enclose a copy of that plan for your reference.

The authority to reclaim was given to the Kawhia County Council, in exercise of its powers as a harbour board for the harbour of Kawhia. However, a letter from the Kawhia County Council of 14 August 1914, states:

"The Council is not at present in possession of a suitable site whereon to build an office. A portion of the area sought to be reclaimed could with comparatively small expense be made suitable for such purpose. It is suggested that an area of about a quarter acre be vested in the Council, as a County Council, for the purpose of a site for Council chambers, and the balance of the five acres to be vested in the Council as a harbour board."

By letter dated 28 October 1914, the plan was returned to Council to allow certain amendments to be made. This was subsequently returned to the Marine Department under cover of the letter dated 4 March 1915 and I quote from that letter the following:





"The section proposed to be vested in the Council as an office site, as apart from the remainder which is proposed to be vested in the Council as a harbour board, is Section 5 Block 2 on the plan and contains approximately 36 perches."

I assume that it is to this area which you refer in your letter of 24 August 1978.

I have noted from my file that on 1 September 1958, I advised you that the Order in Council of 19 April 1915 gives your Council authority to proceed with the reclamation as shown on that Order in Council.

I have also noted that on 31 October 1962, an Order in Council was signed vesting an area of 2 roods 38.9 perches as shown on plan MD 11322 in the Otorohanga County Council.

With respect to the obtaining of approvals for the completion of the reclamation as authorised in 1915, it is necessary that you comply with Section 178 of the Harbours Act 1950 and for this to forward plans of the proposed works for consideration pursuant to the provisions of that Section. These plans should show in detail the area yet to be reclaimed and include a number of cross section diagrams showing the material which is to be used in the protective facing of the seaward side of the reclamation and also the material which is to be used in filling the area.

It will also be necessary for your Council to comply with the Government's environmental enhancement procedures and to this effect I enclose a copy of a pamphlet recently prepared by the Harbours and Foreshores Section of this Ministry dealing with the reclamation procedures. In respect of the environmental impact assessment which we would require from you, a sketch outline of such an assessment is provided at page 30 of the booklet. While it may not be applicable to include all the information which is requested at that page, it is recommended that you give a general description of all points taking those which are more applicable to the circumstances in greater detail.

If further assistance is required please do not hesitate to contact the writer or alternatively Mr. D. Greig of the Auckland office of the Ministry (telephone Auckland 773-400).

FILED BY
FILE No. 4
23 / 1 / 79
Initials: <i>72</i>



The plans requested above for consideration pursuant to Section 178 of the Harbours Act 1950 should be forwarded to the Regional Secretary, Ministry of Transport, Private Bag, Auckland, and marked Attention: Mr D. Greig. It is that office which initiates the obtaining of the necessary reports on any proposals such as this prior to a decision being made by this office.

I look forward to receiving the necessary plans at your earliest convenience.

Yours faithfully

*78c*  
T.E. Law  
for Secretary for Transport

*Vend*  
Regional Secretary  
✓ Private Bag  
AUCKLAND

Attention: D.J. Greig

Copy for your information.

The Otorohanga County Council with their letter of 24 August 1978 state: "Once Council has finalised its reclamation proposals I assume it will be in order for Council to proceed with work, the only requirement being that the style of protective facing on the seaward side of the reclamation receives the prior approval of the Ministry".

The above letter in addition to answering an additional query concerning the original Order in Council application, also sets out our requirements in respect of the environmental impact assessment which would be required to accompany any application for a 178 approval.

When you receive your copy of the plans and assessment would you please obtain the necessary reports.

*78c*  
T.E. Law  
for Secretary for Transport

FILED BY	FILE
27/1/79	3/2
Initials:	

DISPATCHED
13 SEP 1978
by <i>KAR</i>

HDP

34/116/1  
143/140/6

# Otorohanga County Council

Maniapoto Street, Otorohanga.

P.O. Box 11.

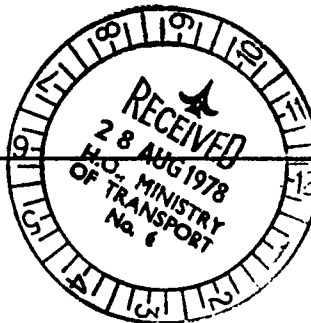
Telephone: 8199.

Our Ref: DLB:CMJV

Date: 24 August 1978

Inquiries to: Mr D. Bevan

The Secretary,  
Harbours and Foreshores Section,  
Ministry of Transport,  
Private Bag,  
WELLINGTON.



Your Ref:

Dear Sir,

RECLAMATION - KAWHIA HARBOUR

The Council is considering proposals for the reclamation of portion of the Harbour situated behind the old Kawhia County Council Chambers and included within the area shaded red on the attached print.

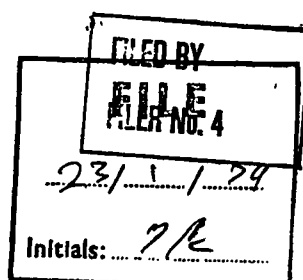
The former Kawhia County Council by Order in Council on 19 April 1915, was authorised to reclaim portion of the Harbour edged in red on plan marked M.D. 4323. I have been unable to locate a copy of this plan, but am given to understand that the area is that as shaded red on the attached print. I would appreciate your confirmation or otherwise on this point. Also, would it be possible for Council to be supplied with a copy of plan M.D. 4323. I note from the Order in Council that there is an area cross-hatched red on the plan and accordingly it would be helpful to have this particular piece also identified.

Once Council has finalised its reclamation proposals I assume it will be in order for Council to proceed with the work, the only requirement being that the style of protective facing on the seaward side of the reclamation receives the prior approval of the Ministry.

I look forward to receiving your reply in due course.

Yours faithfully,

D. L. BEVAN  
COUNTY CLERK



**Wide format was located here in this file**

**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6179**

15 September 1965

Mr W. H. Foot,  
21 Fairfield Avenue,  
LOWER HUTT.

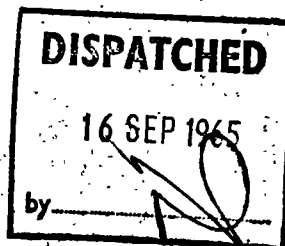
Dear Sir,

TE PULA HOT SPRINGS - KAWHIA 86

In reference to your letter of 11 September,  
yours appears to be the first application to develop the springs.

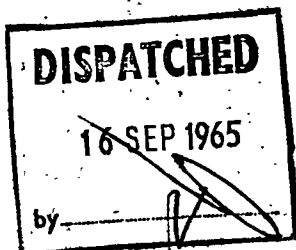
I am attaching the department's foreshore application  
for your completion and as a guide to the consents and drawings  
etc we require.

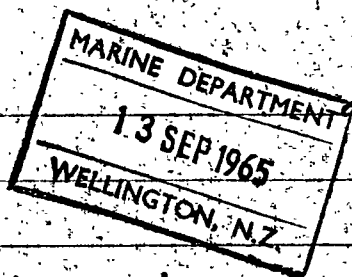
Yours faithfully,

ENCLOSURE  
SENTW  
for G. L. O'Halloran  
Secretary for Marine

The District Administration Officer,  
Marine Department,  
P.O. Box 1254,  
AUCKLAND.

As Mr Foot is domiciled here, it is more expeditious for  
us to deal with the matter. Mr Foot wishes to develop the springs  
commercially and as an attraction for visitors to Kawhia where  
he has a motor camp. Maori Affairs and Lands and Survey had no  
objection.

R  
for G. L. O'Halloran  
Secretary for Marine



21 Fairfield Ave  
Lower Hutt

11.9.65

Secretary for Marine  
Wellington

84  
Te Hino Hot Springs / Kawhia.

Sir, I have your letter of 25/8/65 -  
(M4/237) re the above.

As suggested by you, I shall  
in due course submit a plan of  
the proposed development. Some  
months may be required to  
investigate the matter fully as to  
precise siting and engineering  
investigation.

This plan could mean a  
great deal to Kawhia. I have discovered  
that many people arrive in the town  
asking about the Springs, only to be  
disappointed.

As a good deal of time & money  
may be involved, may I ask that you  
confirm my priorities in this matter.

Yours faithfully, W. H. Ford



MARINE DEPARTMENT

PLEASE QUOTE

M-2545

85

OUR REFERENCE

YOUR REFERENCE

4/237

Wellington  
24-08-65

MEMORANDUM for

*vet*  
Marine Works Engineer

LAND ACCRETION - TE KOPUA

File referred for your information.

See <sup>(82)</sup>folios 82 & 83 Land Registrar's  
verdict and MOW Hamilton report  
folio 69.

*Mr. [unclear] per*  
*to see [unclear] 26/8/65*

*[Signature]*  
*for Secy Marine.*

Secy Marine

MH/237

84

Ex  
47

25 August 1965

Mr W. M. Foot,  
21 Fairfield Avenue,  
LOWER HUTT.

Dear Mr Foot,

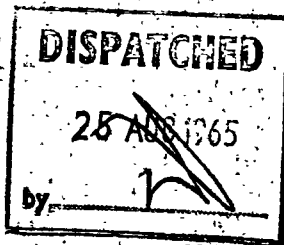
TE PUIA HOT SPRINGS. KAWHIA 83

From my inquiries, it would appear that development of the springs may be possible,

Before taking the matter further, could you please provide a sketch of the proposed development.

86  
Your faithfully,  
R

for G. L. O'Halloran  
Secretary for Marine



M.A. 110

Telegraphic Address: MAORIFAIRS

Verbal Address to:



4/237

Our reference: 12/974/3

Your reference: M4/237

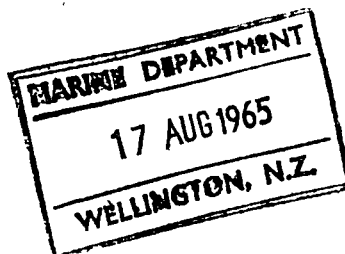
# DEPARTMENT OF MAORI AFFAIRS

## AND MAORI TRUST OFFICE

Manchester Unity Building,  
120-124 Lambton Quay, C. I.  
Telephone 71 149 (9 lines)

P.O. Box 2390,  
WELLINGTON C. I

16 August 1965.




Secretary for Marine,  
Marine Department,  
T. & G. Buildings,  
Grey Street,  
WELLINGTON, C.1.

### TE PUIA HOT SPRINGS: KAWHIA

Advice has now been received from the District Officer at Hamilton that the springs are located on the foreshore adjoining Maori land at Te Puia. There is no mention of the springs in any of the Maori Land Court records and no rights have been reserved or granted by the Court.

84

  
(R.M. Stephenson)  
for Secretary  
for Maori Affairs

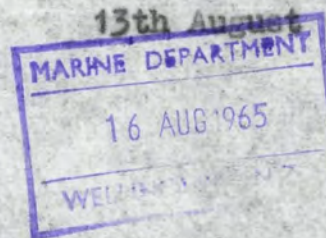


4/237

82

WBG:FE

HAMILTON



65

Messrs Houston and Corbett,  
Solicitors,  
P. O. Box 1129,  
HAMILTON.

Dear Sirs,

L. T. PLAN S.9644  
THE PROPRIETORS OF TE KOPUA 2B2B2B BLOCKS INCORPORATED

I have received from the Marine Department an objection to the deposit of the abovementioned plan and the issue of certificates of title for the land therein.

It is clear from the declarations of Mr Manihera of Raglan, Mr Hollinger the surveyor, Mr N.A. Palmer chairman of the committee of management of the incorporated body and Mrs Rickard, that all these people regarded the area of beach beyond the title boundary as demarcated on S. O. Plan 3809 as being permanent and above line of the tides, which are now shown to reach a point shown on L. T. Plan S.9644. On the other hand an officer of the Ministry of Works says that when the questions of a claim for accretion and subsequent subdivision was raised in October 1962 the Ministry of Works, which was asked to comment on the proposal advised against it on the grounds that the "land" being claimed was no more than a sandy beach. A conflict of evidence has therefore arisen.

If the beach referred to was always above mean high water mark, then probably the question of a boundary to mean high water must be answered in favour of the incorporated Maori owners. I have had the advantage of inspecting the beach and foreshore personally in the company of Mr Armstrong, the Land Transfer Surveyor, and Mr Palmer chairman of the committee of management, but at the time of my inspection the tide was almost out.

Part of the ten sections fronting the foreshore showed serious erosion and being merely sand dunes covered with lupins even now do not look particularly stable in the face of further storms. However, the storm which is alleged to have caused the erosion in November 1964 appears to have been an isolated one, and the sudden removal of land should not affect the title to that land, (Thakurain v Thakurain (1905) 21TLR 637) as a moveable boundary on flowing water, if it is to move, must move gradually and imperceptibly. (Attorney General & Hutt River Board v Leighton [1955] NZLR 750).

Earlier I stated that if the sudden erosion last November is disregarded that the application should probably be allowed and a certificate of title issued. In applications for accretions it has always been the requirement of this office that

cont.,



evidence of the permanence of the land in question be established. There would be no point in issuing certificates of title with a boundary which is not only subject to change but also changes frequently or is such that it is likely to change with the weather. Some sea coasts are in this category just as water courses in low lying mud flats are.

From aerial photos in the Lands and Survey Office the contour of the coast can be seen to have been no more than bare sand dunes in the mid 1940s and partly covered with some type of vegetation in 1957. From my inspection it would seem that little more than lupin is growing there.

The present bank at the top of the beach is 180 links from proposed road shown as Lot 39 on L. T. Plan so that 60 links of Lot 28 is on open beach. It cannot be said to be within the occupation of the owners and even if the continuing action of the tides is to lift sand up it will be some time before it is capable of any sort of occupation. It is claimed in the objection lodged by the Marine Department that the land was mostly without vegetation and from inspection it was apparent lupins, which grow quickly, were the main growth. Permanence to the additional land could only be given by the use of the heaviest rock protection. I am satisfied, however, that for the present, erosion by the sea is not continuing although the bank is crumbling in places because it is not in the nature of sand to stay in a steep bank.

It may be implied from the fact that the Raglan County Council approved L.T. Plan S.9609 under Section 34 of the Counties Amendment Act 1961 on 27.10.1964 that the County were content with the extent of the esplanade reserve as shown on the plan. I am prepared to treat this only as being conditional on this office recognising that Maori Owners were entitled to an accretion to their title.

Because of the nature of the land claimed, and because it has been proven that the loose sand is subject to change from storms coming from the west I am not prepared to issue a new certificate of title to include the land in question.

Yours faithfully,



(W.B. Greig)  
DISTRICT LAND REGISTRAR

The Secretary for Marine,  
Marine Department,  
P. O. Box 2395,  
WELLINGTON.

Copy for your information.  
Your reference M4/237.

*see folio 71*



(W.B. Greig)  
DISTRICT LAND REGISTRAR



HT

6/1/56

Head Office

11 August 1965

Chief Surveyor, HAMILTON

ALLEGED ACCRETION. S.O. 19241. TE KOPUA 2B 2B 2B BLOCK I, KARIOI S.D. PLAN

I attach copies of correspondence which was handed to me by Mr Ralph Simpson, Marine Engineer, Head Office, Ministry of Works. You will see that it concerns a subdivision of the above block and that there is alleged erosion occurring which seems to have swept away an area that was formerly accretion to the block. It also seems that an esplanade reserve created on the subdivision presumably of the same block has now been eroded and that as well some of the lots on the subdivision have likewise been eroded.

Possibly this problem has been referred to you and you will be in a position to report the facts without further ado but if it is not will you kindly investigate it and let me have your report as the Marine Engineer says it will be of assistance to him. With your report please forward illustrative plans.



R.P. GOUGH  
Surveyor-General.

The Commissioner of Works,  
WELLINGTON.

For your information and for the attention of Mr Ralph Simpson.

R.P. GOUGH  
Surveyor-General.

A handwritten signature in dark ink, appearing to read 'R.P. Gough', written over the typed name and title.



Extn. 47

17 August 1965

Messrs Trapski Pocock & Dix,  
P.O. Box 41,  
OTOROHANGA.

Dear Sirs,

MORRISON ROAD DEVIATION - OTOROHANGI COUNTY COUNCIL 76

... In accordance with your amended application dated 3 August, I am attaching original and one copy of the Minister of Marine's consent to the proclamation of one acre one rood 02.8 perches of the bed of Aotea Harbour as road.

A copy of the consent has been sent to Ministry of Works, Hamilton, as you requested.

ENCLOSURE  
SENT



Yours faithfully,

R.

for G. L. O'Halloran  
Secretary for Marine

Encl:

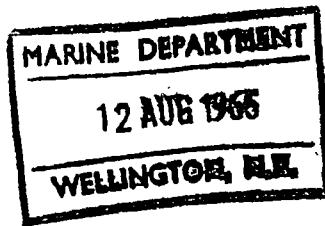
The Ministry of Works,  
HAMILTON.

Attached is the copy of consent referred to above. Your reference is P.W. 17/7/21.



R.  
for G. L. O'Halloran  
Secretary for Marine





THE MINISTER OF MARINE

---

Proposed Proclamation of Part of the  
Bed of Aotea Harbour as Road.

1. Messrs Trapski, Pocock and Dix, Solicitors for Otorohanga County Council, have requested that parts of the bed of Aotea Harbour as shown blue on the accompanying plan MD 12070 be proclaimed as a road.
2. According to the Marine Works Engineer the road is already constructed and seems in order for approval.
3. There is no departmental objection.

RECOMMENDATION

- ...
4. I recommend that you sign in quadruplicate the attached form of consent to the proclamation of 1 acre 1 rood 02.8 perches of part of the bed of Aotea Harbour as road.

*G. L. O'Halloran*  
(G. L. O'Halloran)  
Secretary for Marine  
10/8/65

Enc.

28  
78

CONSENT TO PROCLAMATION AS ROAD OF  
PARTS OF BED OF AOTEA HARBOUR

The Minister of Marine hereby consents to the  
proclaiming as road, under section 29 of the Public Works  
Amendment Act 1948, of areas totalling 1 acre 1 rood 02.8  
perches being parts of the bed of Aotea Harbour as shown  
blue on plan MD 12070 and in accordance with the Schedule  
below.

*H. Pratt*  
Minister of Marine  
11/8/65

(H4/237)

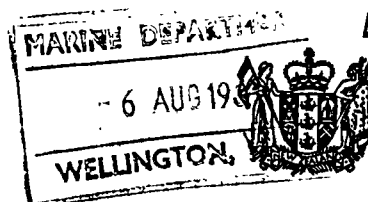
SCHEDULE

A	F	P	
	2	24.5	As shown
	1	02.9	blue on
	1	15.4	MD 12070
<hr/>			
1	1	02.8	
<hr/>			

M.A. 110

Telegraphic Address: MAORIFAIRS

Verbal Inquiries to:



41237

Our reference: 12/974 *82*

Your reference: *M4/237 47*

# DEPARTMENT OF MAORI AFFAIRS AND MAORI TRUST OFFICE

Manchester Unity Building,  
120-124 Lambton Quay, C. 1.  
Telephone 71 149 (9 lines)

P.O. Box 2390,  
WELLINGTON C. 1


6 August 1965

Secretary for Marine,  
Marine Department,  
T. & G. Buildings,  
Grey Street,  
WELLINGTON. C.1

TE PUIA HOT SPRINGS : KAWHIA *75*

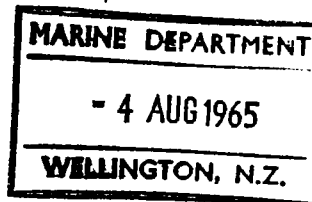
Receipt is acknowledged of your memo 4.8.65  
enquiring about ownership of these Springs.

I have referred this matter to the District Officer,  
Department of Maori Affairs at Hamilton where the title  
records for Maori land in this area are kept. I will reply  
further to you on receipt of his report.

*82*  
  
(R.M. Stephenson)  
for Secretary

4 | 237.  
TRAPSKI, POCOCK & DIX  
BARRISTERS & SOLICITORS

NORMAN JAMES DIX, L.L.B.  
NJD/IMR.



P. O. Box 41  
TELEPHONES { 110  
112

MANIAPOTO STREET,  
OTOROHANGA, N.Z.

3rd August, 19 65.

The Secretary for Marine,  
Marine Department,  
T & G. Buildings  
Grey Street, Box. 2395.  
WELLINGTON. C.1.

Dear Sir,

re: OTOROHANGA COUNTY COUNCIL -  
MORRISON ROAD DEVIATION . YOUR REF: M4/237. 62.

We have to acknowledge receipt of your letter of the 29th ultimo and regret that when we wrote to you on the 15th of June last we overlooked the fact that the other two pieces of Harbour Bed referred to in the second paragraph of your letter were overlooked. It is desired to have all three pieces of the Harbour Bed shown coloured blue on S.O. Plan 41806 proclaimed a public road, and we should be grateful if you would proceed accordingly.

2.  
80.  
Yours faithfully,  
TRAPSKI, POCOCK & DIX.



75  
LGR:DJN

ML/237

EXT,47

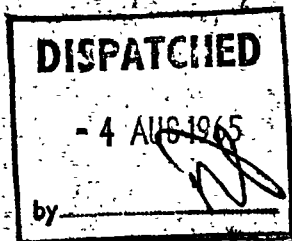
4 August 1965

The Secretary,  
Department of Maori Affairs,  
WELLINGTON.

TE PUIA HOT SPRINGS -  
KAWHIA. 63.

I have received an inquiry from the owner of a motor camp at Kawhia who wishes to develop the hot springs said to be on Crown foreshore at Te Puia,

Before I give further consideration to this matter, I shall be pleased if you will tell me whether there are any Maori rights over these springs.



for G. L. O'Halloran  
Secretary for Marine

BY 22-8-65 ✓

URGENT



MARINE DEPARTMENT

PLEASE QUOTE

M-2545

OUR REFERENCE

YOUR REFERENCE

13/937
--------

MEMORANDUM for

*Harbour Section,  
Head Office*

DEPARTMENT
3 AUG 1965
WELLINGTON, N.Z.

*To Honua - Raglan County*

*Below matter appears to have been  
handled direct by you to M.O.W.  
No file on it there.*

*Please action - or advise.*

*T. L. Lawrence  
for  
D.H.O.*

*Actioned  
see folio 2/1*

13/937  
73

Mercantile Marine Office  
30 JUL 1965  
HAMILTON AUCKLAND

P.W. 18/7

**URGENT**

Private Bag  
29 July 1965

The Commissioner of Works

LAND ACCRETION : TE KOPUA, RAGLAN COUNTY

Please refer to your M4/237 of 20 July 1965.

1. You should advise Marine Department to object to this accretion on the grounds that it has already eroded for well over half its area and active erosion is still proceeding. High water mark is generally 150 links inland from that shown on plan S.O. 19241, the plan in which the land is being claimed.
2. I have acquainted the District Land Registrar with the facts but have not made a formal objection. The copy of the memorandum is enclosed. Not having a copy of the Marine Department letter I am not aware when the time for objections closes. On the other hand I doubt if the District Land Registrar can ignore the facts when these are brought to his notice.
3. The land lies on Ocean Beach in open water to the south of the entrance of Raglan Harbour. The area claimed as accretion was sandy beach ~~at~~ low foredune, mostly without vegetation, which comes and goes with any change in the set of the currents. The area first came to our notice in October 1962 when the Raglan County Council submitted a subdivision plan to us for our comments. They were not obliged to do so but generally do this for all subdivisions fronting onto the sea. We advised the Council not to allow subdivision on the accretion which visually seemed part of the sandy beach and certainly was no place to erect buildings. We further advised the Council to regard the area as beach reserve. I understood the County acted on this but evidently must have been pressured into reversing its decision at a later date, as a similar if not identical subdivision has just been carried out. The roads have been formed and one house has been erected.
4. All the front sections have been eroded to some extent and the 100 link Esplanade Reserve now lies entirely below high water mark. Some manuka protection work has been done. As the beach is subject to the full force of heavy seas in westerly conditions only the heaviest rock protection would be of much use.
5. Te Kopua 2B 2B 2B Block is Maori owned and up to the present has mainly been used for grazing. A few homes and baches are situated on the headland inshore from this accretion. The accretion and the shore portion of this block have recently been subdivided into 37 seaside bach sections. Of these 10 are subject to erosion (and have already been partly eroded). It is these sections that I am referring in my warning to the District Land Registrar. The situation is even more objectionable than that which applied at Ohope Beach.
6. A copy of this memorandum is being sent to Marine Department, Auckland.

N.C. McLeod  
Dist Commr of Works  
Per:

Encl.  
The District Administrative Officer,  
Marine Department,  
AUCKLAND.

For your information.  
I would advise you to object to this accretion immediately. If you require further information please telephone Mr Grant of this office.

N.C. McLeod  
District Commissioner of Works  
Per: *[Signature]*

*Mr Bonner*



P.W. 18/7

HAMILTON

Private Bag

=====

29 July 1966

The District Land Registrar,  
Lands and Deeds Registry Office,  
HAMILTON.

LAND ACCRETION - TE KOPUA 2B 2B 2B, BLOCK 1  
KARIOI S.D. : PLAN S.O. 19241

1. I have recently inspected this accretion at the request of Marine Department.
2. A field check disclosed that present high water mark is generally 150 links inland from that shown on plan S.O. 19241 as applying in February 1964 and active erosion is still proceeding. The accretion therefore is over 50% eroded already and the greater portion of the remaining area claimed as accretion is flat sandy beach just above high water and in my opinion should not be fairly claimed as accretion.
3. The area has already been subdivided and one house has already been erected on Section 28. Some 6 perches have already been lost from this 33 perch section and in general the present top of the actively eroding bank is now almost back to the old title boundary shown on plan S.O. 3809. As this area is low beach and low sandhill country there is no reason why it should not erode further, possibly as far as the recently formed road, Lot 40, the Esplanade Reserve is now practically entirely below high water mark.
4. This is not a formal objection but no doubt the Marine Department will be formally objecting. However, I have thought it advisable to acquaint you with the present position in view of the fact that you will no doubt be expected to grant title to these sections shortly.
5. I would suggest that no certificate of title be granted for this accretion on the grounds that for practical purposes it no longer exists and that the boundary remain as shown on plan S.O. 3809.
6. Perhaps you may prefer to check this matter on the ground.

N.C. McLeod  
District Commissioner of Works

Per: 



71  
ML/237

EXT.47

3 August 1965

District Land Registrar,  
Lands & Deeds Registry Office,  
HAMILTON.

PROPRIETORS OF TE KOPUA 2B2B2B and  
2B1 BLKS - TITLE TO ACCRETION.

Further to my urgent telegram of 30 July, the following is a copy of my technical adviser's report:

1. "You should advise Marine Department to object to this accretion on the grounds that it has already eroded for well over half its area and active erosion is still proceeding. High water mark is generally 150 links inland from that shown on plan S.O. 19241, the plan in which the land is being claimed.
2. I have acquainted the District Land Registrar with the facts but have not made a formal objection. The copy of the memorandum is enclosed. Not having a copy of the Marine Department letter I am not aware when the time for objections closes. On the other hand I doubt if the District Land Registrar can ignore the facts when these are brought to his notice.
3. The land lies on Ocean Beach in open water to the south of the entrance of Raglan Harbour. The area claimed as accretion was sandy beach and low foredune, mostly without vegetation, which comes and goes with any change in the set of the currents. The area first came to our notice in October 1962 when the Raglan County Council submitted a subdivision plan to us for our comments. They were not obliged to do so but generally do this for all subdivisions fronting onto the sea. We advised the Council not to allow subdivision on the accretion which visually seemed part of the sandy beach and certainly was no place to erect buildings. We further advised the Council to regard the area as beach reserve. I understood the Council acted on this but evidently must have been pressured into reversing its decision at a later date, as a similar if not identical subdivision has just been carried out. The roads have been formed and one house has been erected.
4. All the front sections have been eroded to some extent and the 100 link Esplanade Reserve now lies entirely below high water mark. Some manuka protection work has been done. As the beach is subject to the full force of heavy seas in westerly conditions only the heaviest rock protection would be of much use.

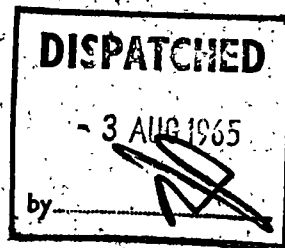
...2/



70

Te Kopua 2B 2B 2B Block is Maori owned and up to the present has mainly been used for grazing. A few homes and baches are situated on the headland inshore from this accretion. The accretion and the shore portion of this block have recently been subdivided into 37 seaside bach sections. Of these 10 are subject to erosion (and have already been partly eroded). It is these sections that I am referring in my warning to the District Land Registrar. The situation is even more objectionable than that which applied to Ohope Beach."

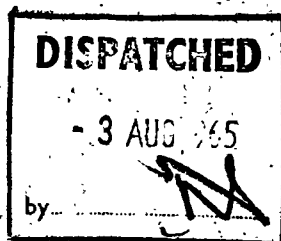
N. This memorandum confirms my telegram, and the objections as stated above are, in my opinion, good and sufficient reasons for your declining to issue a certificate of title.



for G. L. O'Halloran  
Secretary for Marine

District Administration Officer,  
Marine Department,  
P.O. Box 1254,  
AUCKLAND.

Copy for your information.



for G. L. O'Halloran  
Secretary for Marine

OFFICE OF COMMISSIONER OF WORKS

M 4/237

The Secretary of Marine.

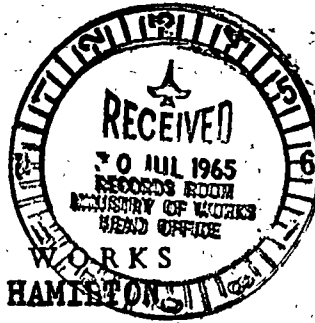
Attention Mr Russell

Confirming my telephone advice of 30/7/65.  
Please lodge objection on lines indicated  
in attached memo from D/C/W  
Hamilton. I concur. Please

let Lands & Survey HO. know of  
position

R A Simpson  
Marine Works Engineer  
per Lucy 2/8/65

**URGENT**


**URGENT**

MINISTRY OF WORKS

P.W. 18/7

 Private Bag  
 EG-BOX

29 July 1965

The Commissioner of Works

LAND ACCRETION : TE KOPUA, RAGLAN COUNTY

Please refer to your M4/237 of 20 July 1965.

1. You should advise Marine Department to object to this accretion on the grounds that it has already eroded for well over half its area and active erosion is still proceeding. High water mark is generally 150 links inland from that shown on plan S.O. 19241, the plan in which the land is being claimed.
2. I have acquainted the District Land Registrar with the facts but have not made a formal objection. The copy of the memorandum is enclosed. Not having a copy of the Marine Department letter I am not aware when the time for objections closes. On the other hand I doubt if the District Land Registrar can ignore the facts when these are brought to his notice.
3. The land lies on Ocean Beach in open water to the south of the entrance of Raglan Harbour. The area claimed as accretion was sandy beach <sup>and</sup> low foredune mostly without vegetation, which comes and goes with any change in the set of the currents. The area first came to our notice in October 1962 when the Raglan County Council submitted a subdivision plan to us for our comments. They were not obliged to do so but generally do this for all subdivisions fronting onto the sea. We advised the Council not to allow subdivision on the accretion which visually seemed part of the sandy beach and certainly was no place to erect buildings. We further advised the Council to regard the area as beach reserve. I understood the County acted on this but evidently must have been pressured into reversing its decision at a later date, as a similar if not identical subdivision has just been carried out. The roads have been formed and one house has been erected.
4. All the front sections have been eroded to some extent and the 100 link Esplanade Reserve now lies entirely below high water mark. Some manuka protection work has been done. As the beach is subject to the full force of heavy seas in westerly conditions only the heaviest rock protection would be of much use.
5. Te Kopua 2B 2B 2B Block is Maori owned and up to the present has mainly been used for grazing. A few homes and baches are situated on the headland inshore from this accretion. The accretion and the shore portion of this block have recently been subdivided into 37 seaside bach sections. Of these 10 are subject to erosion (and have already been partly eroded). It is these sections that I am referring in my warning to the District Land Registrar. The situation is even more objectionable than that which applied at Ohope Beach.
6. A copy of this memorandum is being sent to Marine Department, Auckland.

Encl.

 N.C. McLeod  
 Dist Commr of Works  
 Per: *[Signature]*



P.W. 18/7

68

HAMILTON

Private Bag

29 July 1965

The District Land Registrar,  
Lands and Deeds Registry Office,  
HAMILTON.

LAND ACCRETION - TE KOPUA 2B 2B 2B, BLOCK 1  
KARIOI S.D., PLAN S.O. 19241

1. I have recently inspected this accretion at the request of Marine Department.
2. A field check disclosed that present high water mark is generally 150 links inland from that shown on plan S.O. 19241 as applying in February 1964 and active erosion is still proceeding. The accretion therefore is over 50% eroded already and the greater portion of the remaining area claimed as accretion is flat sandy beach just above high water and in my opinion should not be fairly claimed as accretion.
3. The area has already been subdivided and one house has already been erected on Section 28. Some 6 perches have already been lost from this 33 perch section and in general the present top of the actively eroding bank is now almost back to the old title boundary shown on plan S.O. 2809. As this area is low beach and low sandhill country there is no reason why it should not erode further, possibly as far as the recently formed road, Lot 40, the Esplanade Reserve is now practically entirely below high water mark.
4. This is not a formal objection but no doubt the Marine Department will be formally objecting. However, I have thought it advisable to acquaint you with the present position in view of the fact that you will no doubt be expected to grant title to these sections shortly.
5. I would suggest that no certificate of title be granted for this accretion on the grounds that for practical purposes it no longer exists and that the boundary remain as shown on plan S.O. 2809.
6. Perhaps you may prefer to check this matter on the ground.

N.C. McLeod  
District Commissioner of Works

Per: 

Russell.  
71.759

67

NR F342 HAMILTON TO HEAD OFFICE 18/7 30.7.65

ACCRETION OF LAND : TE KOPUA

YR REF G192 29.7.65 M4/237

ATTENTION : MR D.R. MCAFEE

MY MEMORANDUM 18/7 DATED 29.7.65 ADVISED THAT AN  
OBJECTION SHOULD BE MADE.

*Maori Dept advised  
30/7/65 215 pm  
[Signature]*

N C MCLEOD

DIST COMM R WKS

PER ~~RNOXSEX~~ R O SHEARMAN

ROD 10.45 OBJ

66

NR G192 HEAD OFFICE TO HAMILTON 29.7.65 M4/237

ACCRETION OF LAND: TE KOPUA.

REFER MY LETTER OF 20TH L JULY.

DATE FOR OBJECTION TO INCLUSION OF LAND IN ADJANGENT MAORI  
TITLE NOW ARRIVED.

PLEASE ADVISE URGENTLY IF THERE ARE ANY OBJECTIONS OR NOT.

P LLAING

COMMR OF WKS

PER D R MCAFEE

TOD 1628 AD

FIN TKS HN

RD 192 OBJ

(If prepaid in stamps,  
affix here)

# INLAND TELEGRAM



30 JULY 1965 P.M.

No. 65  
Date Stamp

Code	Words	Instructions	Time
		GOVT. URGENT	1430
This telegram is accepted subject to the Post Office Act and Telegraph Regulations.			CHARGES
TO (Block Capitals) LANDS & DEEDS REGISTRY OFFICE HAMILTON			FOR OFFICE USE ONLY
			Sent
			To
			By
			Serial No.
			Checked.

*PLAN*  
YOUR REFERENCE L T ~~MAN~~ S 9644 MEMORANDUM OF 30 JUNE ABOUT  
TITLE TO ACCRETION OF LAND STOP TAKE NOTE DEPARTMENT LODGES  
OBJECTION IN PRINCIPLE STOP DETAILS OF OBJECTION TO FOLLOW

11  
SECYMARINE

A REPLY PAID  
TELEGRAM  
is a courteous means  
of ensuring  
A PROMPT  
ANSWER

NOT TO BE TELEGRAPHED  
THE SECRETARY  
Name and address of sender: MARINE DEPARTMENT

P.O. BOX 2395

Telephone No.—Day: 71-789

WELLINGTON

Night:

*phoned  
by Mr. [unclear]  
30/7/65*

64  
30 JULY 1965 P.M.

GOVT, URGENT

LANDS & DEEDS REGISTRY  
OFFICE  
HAMILTON

YOUR REFERENCE L T MAN S 9644 MEMORANDUM OF 30 JUNE ABOUT  
TITLE TO ACCRETION OF LAND STOP TAKE NOTE DEPARTMENT LODGES  
OBJECTION IN PRINCIPLE STOP DETAILS OF OBJECTION TO FOLLOW

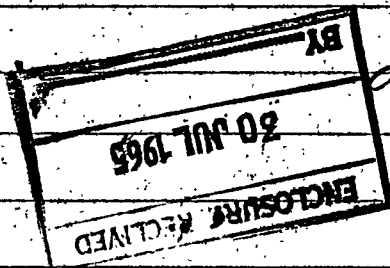
SECYMARINE

4/237

63

21 Fairfield Ave  
Lower Hutt.

Secretary  
Maori Dept  
Wellington



Attention: Mr Russell  
Re Letter of 27/6/65.

Dear Sir,

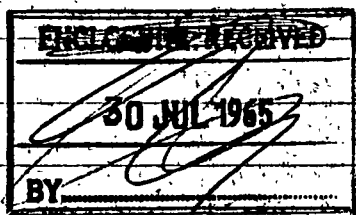
Folio 55

Thank you for your reply to my  
letter of 25/6/65 re Te Puna Hot Springs, Kawhia.

I have not been to the Springs myself  
as they are difficult of access. However, I  
have made exhaustive enquiries from some  
old identities in Kawhia who assure me  
that they are below high tide level.

Yours faithfully  
W.A. East

2/5



Phoned Mr Paender. LVS Dept who stated that  
to his knowledge, no Maori rights existed over  
the springs R 3/6/65.

29 July 1965

Messrs Trapaki, Pocock & Dix,  
Barristers & Solicitors,  
P.O. Box 41,  
OTOROHANGA.

Dear Sirs,

MORRISON ROAD DEVIATION 52.

I have received your letter of 15 June concerning the proclaiming of 2 roods 24.5 perches of the bed of Aotea Harbour as road.

A favourable report has been obtained of the proposal, but before I approach the Minister for his consent, I should like to know whether, if it is the County Council's intention to proceed with the other 2 parts of Aotea Harbour shown blue on the plan, (1 rood 02.9 perches and 1 rood 15.4 perches) it would be to its advantage to proclaim the three areas together. Would you please advise.



Yours faithfully,

R.

for G. L. O'Halloran  
Secretary for Marine

96

B/A 20/8/61



61

CONSENT TO PROCLAMATION AS ROAD OF  
PARTS OF BED OF AOTEA HARBOUR

N  
The Minister of Marine hereby consents to the  
proclaiming as road, under section 29 of the Public Works  
Amendment Act 1948, of areas totalling 1 acre 1 rood 02.8  
perches being parts of the bed of Aotea Harbour as shown  
blue on plan MD 12070 and in accordance with the Schedule  
below.

Minister of Marine

(EA/237)

SCHEDULE

A	P	D	
	2	24.5	As shown
	1	02.9	blue on
	1	19.4	MD 12070
<hr/>			
1	1	02.8	
<hr/>			

BW 20/7/65

60

**THE MINISTER OF MARINE**

**Proposed Proclamation of Part of the  
Bed of Aotea Harbour as Road.**

fol 52. 196

1. Messrs Trapski, Pecoock and Dix, Solicitors for Otorohanga County Council; have requested that parts of the bed of Aotea Harbour ... as shown blue on the accompanying plan MD 12070 be proclaimed as a road.

2. According to the Marine Works Engineer the road is already constructed and seems in order for approval.

3. There is no departmental objection.

R  
...  
**RECOMMENDATION**

4. I recommend that you sign in quadruplicate the attached form of consent to the proclamation of 1 acre 1 rood 02.8 perches of part of the bed of Aotea Harbour as road.

h  
(Sgd.) G. L. O'HALLORAN  
(G. L. O'Halloran)  
Secretary for Marine

10/12/65

Enc.

To Min. 10/12/65  
Enc. Sent

58

P.W. 470

## OFFICE OF COMMISSIONER OF WORKS

- ① Plan Records.. Plse record plan in folio 51.
- ② The Secretary for Marine..  
 Your memo of 9/7/65 re Tidal Lands for Roading.
- (i) For works under control of M.O.W. control, the consent of the Minister of Marine would be sought before a road is built across tidal waters.
- (ii) In this case the County is the constructing authority and should have obtained prior permission but it appears that the road work is completed.
- (iii) The subsequent legalising of the County work is now applied for and seems in order for approval.

PLAN  
RECORDED:

No. MD 12070

Date: 22, 7, 65 Ah

R. A. Simpson  
 Marine Works Engineer  
 to Secy after 19/7/65

Noted.  
R 20/7/65



MARINE DEPARTMENT

PLEASE QUOTE

M.-2545

58

OUR REFERENCE

YOUR REFERENCE

4/237
-------

Wellington.  
9-9-65

MEMORANDUM for

Marine Works Engineer.

Tidal Lands for Roading - Otorohanga.

Please refer to folios 51 & 52.

- (1) It is more usual for your office to approach this office for the Minister's consent to the taking of tidal lands for a road.
- (2) Perhaps it would pay to check & see if, in fact, this procedure is being followed.
- (3) If the plan (folio 51) will be the official one for the ~~the~~ consent please award WD number.

Replied 19/2/65  
(2)

J. Keel  
Secretary & Marine

HL/237

RECEIVED  
20 JUL 1965  
STORY ST.

20 July 1965

The District Commissioner of Works,  
Ministry of Works,  
HAMILTON.

LAND ACCRETION - TE KOPUA

The Lands and Deeds Registry Office, Hamilton, have sent the following notice to the Secretary for Marine:-

"NOTICE IS HEREBY GIVEN that application has been made by the above-mentioned incorporated Maori owners for a Certificate of Title to the accretion of land to Partition Order Volume 255 Folio 3 of the Provisional Register. Unless objection on reasonable grounds is made within one month of this notice a claim by the incorporated Maori owners will be allowed and a certificate of title issued therefore.

The land concerned fronts the sea adjoining Te Kopua 2B2B2B Block and 2B1 Block, constituted in Block 1 Karioi Survey District. A copy of the survey plan may be inspected in this office between the hours of 9 a.m. and 4 p.m."

Would you please inspect the plan and advise if there is any objection to this title being given. Also state if there is any change of use of the adjoining land imminent, bearing in mind the Ohope Beach Subdivision with its erosion problem, etc.

65

BUL 15/8/65

P.L. Laing  
Commissioner of Works

per: 

*Marie Delt*

*Mr. Ford phoned 14/5 29/7/65  
to say that Hamilton had  
teleprinted that an objection  
had been posted to Works, Wgth  
and in view that the memo would  
not arrive in Wgth in time I should  
send telegram to Lands & Deeds lodging  
objection in principle - see file 68, R.*

URGENT

142



MARINE DEPARTMENT

PLEASE QUOTE

M-2545

56

OUR REFERENCE

YOUR REFERENCE

Wellington

9-4-65

4/237

MEMORANDUM for

Marine Works Engineer

LAND ACCRETION - folio 54

You may consider that this  
matter is in order, but it  
might be wise to check.

mem D/C/W. An  
20/1/65  
D

W. Macart  
for Secretary of Marine

51

LGR/JV

M4/237

Ext. 47

5 July 1965

Mr W.M. Foot,  
21 Fairfield Avenue,  
LOWER HUTT.

Dear Mr Foot,

I have received your letter of 25 June, about Te Puia Springs at Kawhia.

Before I go into the question of rights to this spring, could you please tell me if the spring is below high water ordinary spring tide level which marks the limit of this department's responsibility.

If the springs are above this level you should consult Lands and Survey Department.



Yours faithfully,

R.

for G. L. O'Halloran  
Secretary for Marine



4/24/57 a 2/237

[Land and Deeds-20.]



DEPARTMENT OF JUSTICE

L.T. PLAN S. 9644

*Te Kopua - Otago County*

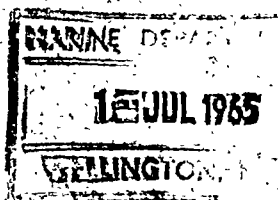
P.O. Box No. 1170

Telephone No. 31031

Land and Deeds Registry Office

HAMILTON

30th June, 19 65



The Secretary,  
Marine Department,  
WELLINGTON.

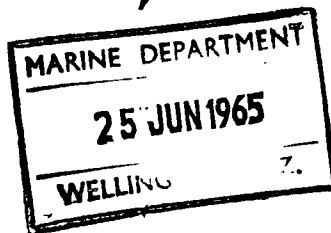
PROPRIETORS OF TE KOPUA 2B2B2B AND 2B1 BLKS

NOTICE IS HEREBY GIVEN that application has been made by the above mentioned incorporated Maori owners for a Certificate of Title to the accretion of land to Partition Order Volume 255 Folio 3 of the Provisional Register. Unless objection on reasonable grounds is made within one month of this notice a claim by the incorporated Maori owners will be allowed and a certificate of title issued therefore.

The land concerned fronts the sea adjoining Te Kopua 2B2B2B Block and 2B1 Block, constituted in Block 1 Karioi Survey District. A copy of the survey plan may be inspected in this office between the hours of 9 a.m. and 4 p.m.

56 -

(W.B. Greig)  
DISTRICT LAND REGISTRAR



21 Fairfield Ave.,

LOWER HUTT

25th. June 1965.

Secretary,  
Marine Dept.,  
WELLINGTON

Dear Sir,

re TePuia Hot Springs, Kawhia.

The above mentioned hot springs are situated on the ocean beach at Kawhia, about 3 miles from the township.

I am the proprietor of <sup>the</sup> Motel at Kawhia and would be interested in developing these springs as a tourist attraction.

Will you please advise me as to whether your department exercises jurisdiction over them and, if so, whether it would be prepared to grant a concession.

55  
Yours faithfully,

*W. M. Foot*

W. M. FOOT

TRAPSKI, POCOCK & DIX  
BARRISTERS & SOLICITORS

4/237

P. O. Box 52 41  
TELEPHONES { 110  
112

NORMAN JAMES DIX, L.L.B.

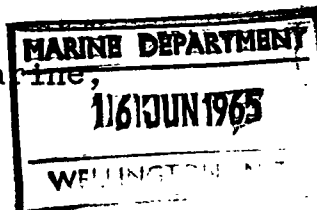
NJD/IMR.

MANIAPOTO STREET,

OTOROHANGA, N.Z.

15th June, 19 65.

The Secretary, for Marine,  
Marine Department,  
WELLINGTON.



Dear Sir,

re: OTOROHANGA COUNTY COUNCIL -  
MORRISON ROAD DEVIATION.

We are acting for the above Council in connection with the acquisition of certain land for roading purposes and portion of the land required for road comprises part of the bed of the Aotea Harbour. The area affected is 2 roods 24.5 perches and is shown coloured blue on S.O. Plan 41806 a copy of which plan is enclosed herewith for your information. *UD 12070*

We understand that the consent of the Minister of Marine to the taking of the land is required and we should be pleased if you would kindly arrange for such consent to be granted, and forwarded to the Ministry of Works at Hamilton. The Works Department reference is PW17/7/21.

*58.*  
*v62*  
Yours faithfully,  
TRAPSKI, POCOCK & DIX.

A large, stylized handwritten signature, likely belonging to one of the solicitors, Trapski, Pocock &amp; Dix.

**Wide format was located here in this file**

**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6196**

IJMD/  
MT

49  
M.4/237

Extn 47

14 November 1962.

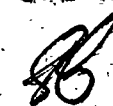
Messrs Judd, Hill, Brown and Kay,  
Barristers and Solicitors,  
P.O.Box 35,  
TE AWAMUTU.

Dear Sirs,

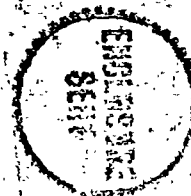
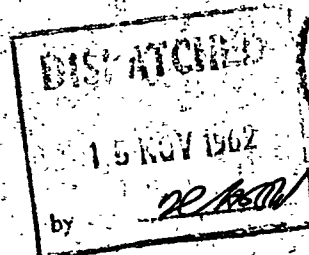
re: Otorohanga County Council - Reclamation  
for Kawhia Harbour - Your Reference  
JOH:EP

... Further to this Department's letter of 6 November 1962,  
enclosed please find two copies of the Gazette extract  
containing the order in council vesting the land shown coloured  
green on plan M.D.11322 in the Chairman, Councillors and  
Inhabitants of the County of Otorohanga.

Yours faithfully,

  
for G. L. O'Halloran  
Secretary for Marine

Encl. 



Extract from *N.Z. Gazette*, 8 Nov. 1962, No. 70, page 1933

*Vesting Reclaimed Land in the Otorohanga County Council*

H. E. BARROWCLOUGH, Administrator of the Government  
ORDER IN COUNCIL

At the Government House at Wellington this 31st day of  
October 1962

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT  
IN COUNCIL

PURSUANT to section 175 of the Harbours Act 1950, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby vests the land containing 2 roods 38·9 perches, shown coloured green on plan marked M.D. 11322 and deposited in the office of the Marine Department at Wellington, in the Chairman, Councillors, and Inhabitants of the County of Otorohanga as from 1 October 1962.

T. J. SHERRARD, Clerk of the Executive Council.

(M. 4/237)

R. E. OWEN, Government Printer, Wellington, New Zealand.



GAZETTE

4/237/46

VESTING RECLAIMED LAND IN THE OTOROHANGA COUNTY COUNCIL

*(Signature)* H. E. BARROWCLOUGH,  
Administrator of the Government



ORDER IN COUNCIL

At the Government

House

at Wellington this

31<sup>st</sup> day of October 1962

Present:

*(Signature)* His Excellency the Administrator of the Government in Council

PURSUANT to section 175 of the Harbours Act 1950,  
His Excellency the Administrator of the Government, acting by  
and with the advice and consent of the Executive Council,  
hereby vests the land containing 2 roods 38.9 perches, shown  
coloured green on plan marked M.D. 11322 and deposited in  
the office of the Marine Department at Wellington, in the  
Chairman, Councillors, and Inhabitants of the County of  
Otorohanga as from 1 October 1962.

*(Signature)* T. J. SHERRARD,  
Clerk of the Executive Council

(U.4/237)

I certify that the foregoing (or  
attached) document is a true and  
exact copy of the whole of the  
original document of which it pur-  
ports to be a copy

*(Signature)*  
7/11/62

M.4/237

Ext. 47a

6 November, 1962.

Messrs. Judd, Hill, Brown & Kay,  
Barristers and Solicitors,  
P. O. Box 35,  
TE AWAMUTU. N.Z.

Dear Sirs,

re: Otorohanga County Council - Reclamation for Kawhia  
Harbour - Your Reference: JCH:EP

With reference to your letter of 24 October 1962, by  
Order in Council dated 31 October 1962, the land containing  
two roads 38.9 perches shown coloured green on plan marked  
M.D. 11322 was vested in the Chairman, Councillors and Inhabitants  
of the County of Otorohanga.

I enclose plan marked "copy of M.D. 11322".

I shall forward the Gazette Extract when available.

Yours faithfully,

*e*  
for G. L. O'Halloran,  
Secretary for Marine.

Enc.

The District Commissioner of Works,  
Ministry of Works,  
Private Bag,  
HAMILTON.

Copy for your information.

Your reference 17/7.

*Q*  
for G. L. O'Halloran,  
Secretary for Marine.

DISPATCHED

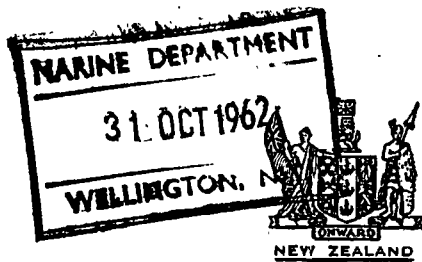
8 NOV 1962

b7

DISPATCHED

8 NOV 1962

b7



10

44

## In Executive Council

ADMINISTRATOR OF THE GOVERNMENT

His Excellency the ~~Governor-General~~ is recommended to  
pursuant to section 175 of the Harbours Act 1950 to  
sign the accompanying Order in Council vesting the  
reclaimed land in the Otorohanga County Council.

Minister of Marine

Approved in Council,

31 OCT 1962

Clerk of the Executive Council

VESTING RECLAIMED LAND IN THE OTOROHANGA COUNTY COUNCIL

*H.E. Rouse*

Administrator of the Government

ORDER IN COUNCIL

At the Government *House* at Wellington this  
3/21- day of *October*, 1962.

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT In Council

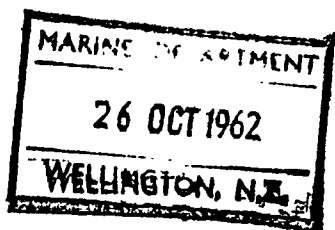
PURSUANT to section 175 of the Harbours Act 1950,  
His Excellency the Administrator of the Government, acting by  
and with the advice and consent of the Executive Council,  
hereby vests the land containing 2 roods 38.9 perches shown  
coloured green on plan marked M.D. 11322 and deposited in  
the office of the Marine Department at Wellington, in the  
Chairman, Councillors, and Inhabitants of the County of  
Otorohanga as from 1 October 1962.

*T. J. Sherrin*

Clerk of the Executive Council

(M.4/237)

*To Lyall  
2-11-62  
Bb.*



The Minister of Marine,

Reclamation - Kawhia Harbour

1. By Order in Council of 19 April 1915 the Kawhia County Council was authorised to reclaim 5 acres of the Harbour at Kawhia.
2. The Kawhia County Council was abolished in 1956 and its responsibilities and duties devolved on to the Otorohanga County Council.
3. To date only 2 roods 38.9 perches of the authorised 5 acres has been reclaimed. The Otorohanga County Council has made application for the reclaimed area to be vested in it, as the Council intends to construct a new town hall on part of the reclaimed area.
4. The Marine Engineer has reported that the land has been satisfactorily reclaimed.
5. There is no departmental objection to the vesting of the land.

RECOMMENDATION

6. I recommend that pursuant to section 175 of the Harbours Act 1950, you sign the attached recommendation to His Excellency the Administrator of the Government, that he sign the accompanying Order in Council vesting reclaimed land in the Otorohanga County Council.

Enc.

*G. L. O'Halloran*  
 for (G. L. O'Halloran)  
 Secretary for Marine  
 23/10/62.

Signed

*N. G. ...*  
 Minister of Marine  
 26/10/62.

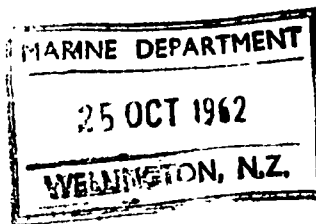
FILED  
 22  
 11/11/62

JUDD, HILL, BROWN & KAY  
BARRISTERS AND SOLICITORS

E. JUDD  
ALAN R. HILL, LL.B.  
M. W. BROWN, LL.M.  
BEVAN D. KAY, LL.B.

JCH:EP

The Secretary of Marine,  
P.O. Box 2395,  
WELLINGTON.



TELEPHONE - 5035 (8 lines)  
P.O. BOX - 85

ROCHE STREET,  
TE AWAMUTU, N.Z.

24th October, 1962.

Dear Sir,

re: OTOROHANGA COUNTY COUNCIL - Reclamation for Kawhia  
Harbour - Your ref: M/4/237 of the 19th October.

We thank you for the above letter and we note that consideration is still being given to the vesting of the above land in our client county.

We would refer you to your letter of 8th March whereby you stated that all that was required by your Department to issue the vesting order-in-council was a plan of the area. This has now been prepared and forwarded to you and we cannot see why there should be any further delay on the point as to whether the land should in fact be vested. We await your reply on this point in due course.

Yours faithfully,

JUDD, HILL, BROWN & KAY,

Per: 



NOTE FOR FILE

FILE No.

4/237

FOLIO

40

I rang Mr Northman Internal Affairs  
re quoting of land areas in Orders in Council.

Mr Northman stated that areas should be in figures  
not words, with a decimal point - see folio 37

Mr Northman also stated that the term "Chairman  
Councils and Inhabitants" as stated in Counties Act  
was the correct term to use in this matter.

W. J. G. G. G.

27.10.62

**ADMINISTRATOR OF THE GOVERNMENT**~~His Excellency the Governor-General~~

pursuant to section 175 of the Harbours Act 1950 to  
sign the accompanying Order in Council vesting the  
reclaimed land in the Otorohanga County Council.

**Minister of Marine**

M.4/237.

Ext. 47.

19 October, 1962.

Messrs. Judd, Hill, Brown & Kay,  
Barristers & Solicitors,  
P. O. Box 35,  
TE AWAMUTU,

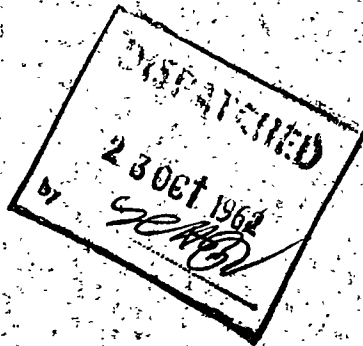
Dear Sirs,

re: Otorohanga County Council - Reclamation - Kawhia Harbour  
(Your Ref: JCH:EP)

With reference to your letter of 10 October 1962, a favourable report has been received on the proposal and consideration is being given to the vesting of the land in Otorohanga County Council.

I shall advise you further as soon as possible.

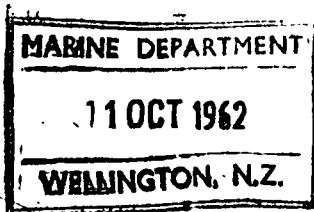
Yours faithfully,



for G. L. O'Halloran,  
Secretary for Marine.

JUDD, HILL, BROWN & KAY  
BARRISTERS AND SOLICITORS

E. JUDD  
ALAN R. HILL, LL.B.  
M. W. BROWN, LL.M.  
BEVAN D. KAY, LL.B.  
JCH:EP



4/237  
TELEPHONE - 5035 (8 lines) 35  
P.O. BOX - - 85

ROCHE STREET,  
TE AWAMUTU, N.Z.

10th October, 1962.

The Secretary for Marine,  
P.O. Box 2395,  
WELLINGTON.

Dear Sir,

re: OTOROHANGA COUNTY COUNCIL - Reclamation -  
Kawhia Harbour - Your ref: 4/237 of 8/3/62

Further to the above letter we understand that the necessary plan was forwarded to you several weeks ago by Messrs Gibbs and Mackay, Surveyors, Te Awamutu.

Would you please inform us urgently of the present position and whether anything further is required to enable the necessary vesting Order-in-Council to be issued.

Yours faithfully,

JUDD, HILL, BROWN & KAY,

Per: 

P.W. 150C



MINISTRY OF WORKS  
HAMILTON

4/23734  
IN REPLY PLEASE QUOTE

P.W. 17/7

Private Bag  
P.O. BOX

24 September 1962

The Commissioner of Works,

OTOROHANGA COUNTY COUNCIL : RECLAIMED LAND  
KAWHIA.

1. With reference to your M.4/237 of 15 August, some effort has been made to reclaim the area between the old Council Chambers and Jervois Street but some of the reclamation appears to have deteriorated.
2. The reclamation in the immediate vicinity of the new hall is good and there appears to be no reason why the whole area should not be vested in the Otorohanga County Council.
- ... 3. Plan M.D. 11322 is returned herewith.

C.J.W. Parsons  
Dist Commr of Works

Encl: *Self*

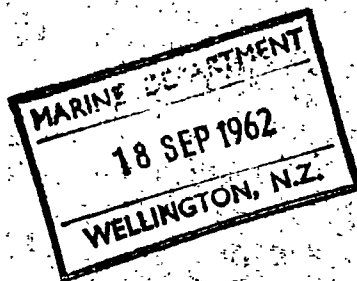
*Approval of District Commr recommended*

*Per: M. J. H. Humber*

*M. J. H. Humber*  
*5/16/62*

*Plan placed in pocket for 27/8/62*





M/237

DISPATCHED  
17 SEP 1962  
57001 ST.

14 September 1962

The District Commissioner of Works,  
Ministry of Works,  
HAMILTON.

OTOROHANGA COUNTY COUNCIL

RECLAIMED LAND - KAWHIA

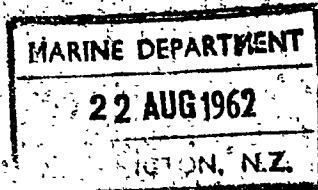
Please expedite the report asked for in my letter dated  
15 August 1962, concerning an area of reclaimed land at Kawhia  
to be vested in the Council.

J.T. Gilkison  
Commissioner of Works

per: W. A. ANDERSON

↓  
Marine Dept.

B.M. 10-10-62



M4/237

DISPATCHED  
15 AUG 1962  
STOUT SV.

15 August 1962

The District Commissioner of Works,  
Ministry of Works,  
HAMILTON.

OTOROHANGA COUNTY COUNCIL  
RECLAIMED LAND - KAWHIA

1. Authority was given to the Kawhia County Council many years ago to reclaim 5 acres of the harbour between the old Council Chambers and Jervois Street. The Council was subsequently dissolved and the authority given passed to Otorohanga County Council.
2. In order to adjust titles consequent on the erection of a hall in recent years application has been made by the County Council to have the land reclaimed vested in it.
- ... 3. A plan of the land to be vested is enclosed marked M.D. 11322 and would you please advise if the reclamation has been carried out in a satisfactory manner returning the plan with your reply.

J.T. Gilkison  
Commissioner of Works

per: W.A. ANDERSON *W.A.*

Encl: *✓*

*Marine Dept*

*B.U. 8/8/62*

*Marine Engineer*

*Please advise urgent  
present position*

*W. A. Anderson  
For G.H. Halloran  
Secretary for Marine  
10.7.62*



PLEASE QUOTE

OUR REFERENCE

YOUR REFERENCE

M. 2545

4/237

Wellington  
13.8.62

## MEMORANDUM for

Marine Engineer

Would you please arrange for a report, to ensure that the relocation has been carried out in a satisfactory manner, the plans are at folio 27.

I would be pleased if the matter could be given urgency

W. Coleman,  
For G. R. O'Halloran,  
Secretary for Marine

# GIBBS and MACKAY

REGISTERED SURVEYORS, ROAD ENGINEERS  
AND LAND PLANNERS

4/237  
Phones: Office 1144 Te Awamutu  
G. A. Gibbs 378 Res.  
O. C. Mackay 815 M & D  
Otorohanga

TE AWAMUTU AND OTOROHANGA

MARINE DEPARTMENT

G. A. GIBBS, M.N.Z.I.S. A.M.I.H.E.

25 JUL 1962  
O. C. MACKAY, M.N.Z.I.S.

WELLINGTON, NZ 4/237

The Secretary,  
Marine Dept.,  
WELLINGTON.

SECURITY BUILDINGS

ARAWATA STREET

TE AWAMUTU

24th July, 1962.

Dear Sir,

## RECLAIMED LAND KAWHIA

Thank you for your letter of the 10th inst. in the above series.

I enclose two prints of the land reclaimed from Kawhia Harbour, to which the Otorohanga County Council seek to obtain title.

Some of the land was reclaimed many years ago, as on it stands the Kawhia County offices.

The Otorohanga County Council has built an elaborate boat ramp as shown, and desires it included in land to be vested in them.

I trust the prints will be satisfactory for the vesting of the land in the Otorohanga County Council.

ENCLOSURE RECEIVED

25 JUL 1962

BY *H. Kew*

Yours faithfully,

*Plans, one sheet in duplicate*

*See 4/2370.*

**Wide format was located here in this file**

**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6195**

**Wide format was located here in this file**

**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6194**



10 July, 1962.

Mr. G. A. Gibbs,  
Registered Surveyor,  
Security Buildings,  
Arawata Street,  
TE AWAMUTU.

Dear Sir,

Reclaimed Land - Kawhia.

With reference to your letter of 2 July, I am sorry not to have made the position clear in my letter to you of 25 June 1962.

The tidal waters may be shown on the plan, edged blue, and the land reclaimed should be shown in a separate colour or cross-hatched, and the acreage shown.

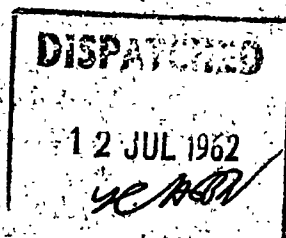
It would be helpful if boundary distances were included although this is not a requirement of the Harbours Act 1950. The land concerned could be described in the plan title as "Reclaimed Land (Part Kawhia Harbour) to be Vested in the Otorohanga County Council."

Trusting this information will enable you to proceed with preparation of the plan.

Yours faithfully,

*e*  
for G. L. O'Halloran,  
Secretary for Marine.

B.4. 3.8.62



44/237 25  
**G.A. GIBBS and MACKAY**

REGISTERED SURVEYORS, ROAD ENGINEERS  
AND LAND PLANNERS

TE AWAMUTU AND OTOROHANGA

G. A. GIBBS M.N.Z.I.S., A.M.I.H.E.

~~O. G. MACKAY, M.N.Z.I.S.~~

MARINE DEPARTMENT

3 JUL 1962

WELLINGTON, N.Z.

Phones: 6144 (Office), 378 (Res.) Te Awamutu

112 (Office), 271 M. Res. Otorohanga

315

P.O. Box 59, Otorohanga

SECURITY BUILDINGS

ARAWATA STREET

TE AWAMUTU

2nd July, 1962.

The Secretary for Marine,  
Marine Dept.  
WELLINGTON.

Dear Sir,

RECLAIMED LAND - KAWHIA.

Thank you for your letter of the 25th ult. re above.

I had seen the letter you mention, to Messrs Judd, Hill, Brown & Kay but it does not answer my questions.

It is on the following points that I seek guidance:

(1) Apparently all the tidal waters including reclaimed land are to be coloured blue.

How then does the plan differentiate between reclaimed land and tidal water?

Should the reclaimed land be edged blue similar to a road severance?

I can of course supply area and boundary distances, as the boundaries have been pegged.

(2) How is the land to be described in the plan title?

Should this be - Reclaimed Land ( Part Kawhia Harbour) to be Vested in the Otorohanga County Council?

I have never seen a plan for this purpose, nor has the Chief Surveyor, therefore I have nothing to use as a guide on its preparation, other than that the tidal waters should be coloured blue.

I would be grateful for elucidation on the points raised.

Yours faithfully,



H.4/237

Ext. 47.

23 June, 1962.

Messrs. Gibbs and McKay,  
Registered Surveyors,  
Security Buildings,  
Aravata Street,  
TE AWAMUTU,

Dear Sirs,

Reclaimed Land - Kawhia.

With reference to your letter of 18 June, in order that consideration may be given to the vesting of the reclaimed land in the Council, please forward a plan on a scale not less than three chains to one inch, prepared by a licensed surveyor, showing all tidal waters coloured blue, and the area of the land sought to be obtained. The abovementioned plan should be supplied in duplicate.

Messrs. Judd, Hill, Brown & Kay, Solicitors to the Council, were given this information by letter dated 8 March.

Yours faithfully,

*R*

for G. L. O'Halloran,  
Secretary for Marine.

The District Administration Officer,  
Marine Department,  
P. O. Box 1254,  
AUCKLAND.

Copy for your information. Your reference 13/1507.

*R*  
for G. L. O'Halloran,  
Secretary for Marine.

DISPATCHED

2

26 JUN 1962

*WMB*

4/237

# GIBBS and MACKAY

REGISTERED SURVEYORS, ROAD-ENGINEERS DEPARTMENT  
LAND PLANNERS

TE AWAMUTU AND OTOROHANGA

G. A. GIBBS, M.N.Z.I.S., A.M.I.H.E.  
O. C. MACKAY, M.N.Z.I.S.

28 MAR 1962

WELLINGTON

SECURITY BUILDINGS  
CARAWATA STREET  
TE AWAMUTU

Phones: Office 1144 Te Awamutu  
G. A. Gibbs 378 Res.  
O. C. Mackay 815 M & D  
Otorohanga

23A

4/237

27th March, 1962

The Secretary,  
Marine Dept.,  
WELLINGTON.

Dear Sir,

## RECLAIMED LAND KAWHIA

The Otorohanga County Council wishes to obtain title to some reclaimed land at Kawhia and I believe Messrs. Judd, Hill, Brown & Kay have had correspondence with you in the above series.

The Chief Surveyor advises that firstly a plan must be deposited in your office as a basis of an Order in Council under sec 175 (2) Harbours Act 1950, and that later a Land Transfer plan of the subdivision of the Land will be required by the District Land Registrar.

Would you please advise what type of plan you require. Should this be on the usual S.O. plan form or on tracing cloth?

Also how should the reclaimed land be shown and coloured and should details of the survey traverse and traverse sheets be supplied in the usual way in addition to the boundaries?

Yours faithfully,

*[Signature]*

*Copy of this letter  
was obtained from the writer  
factor taken.  
W. Cullen  
29/5/63.*

# GIBBS and MACKAY

REGISTERED SURVEYORS, ROAD ENGINEERS  
AND LAND PLANNERS

TE AWAUTU AND OTOROHANGA

G. A. GIBBS, M.N.Z.I.S., A.M.I.H.E.  
P.O. C. MACKAY, M.N.Z.I.S.

19 JUN 1962

M 4/237

The Secretary, N.Z.  
Marine Dept.,  
WELLINGTON.

SECURITY BUILDINGS  
ARAWATA STREET  
TE AWAMUTU

18th June, 1962.

Dear Sir,

## RECLAIMED LAND KAWHIA

The Otorohanga County Council wishes to obtain title to some reclaimed land at Kawhia and I believe Messrs Judd, Hill, Brown & Kay have had correspondence with you in the above series.

The Chief Surveyor advises that firstly a plan must be deposited in your office as the basis of an Order in Council under sec 175(2) Harbours Act 1950 and that later a L.T. plan of the subdivision of the land will be required by the District Land Registrar.

Would you please advise what type of plan you require. Should this be the usual SO plan form or on tracing cloth?

Also how should the reclaimed land be shown and coloured, and should details of the survey traverse and traverse sheets be supplied in the usual way in addition to the boundaries?

Yours faithfully,



Copy of letter  
dated 27/3/62

U.4/237.

Ext. 47.

14 June, 1962.

Messrs. Gibbs and McKay,  
Registered Surveyors,  
Security Buildings,  
Aravata Street,  
TE AWAMUTU.

Dear Sirs,

Reclaimed Land - Kawhia.

Advice has been received from our District Office at Auckland that you anxiously await a reply to a letter forwarded to this Office about two months ago.

No trace of your letter to this Office can be found, and I would be pleased if you would forward a copy by return mail.

Messrs. Judd, Hill, Brown & Kay, Barristers and Solicitors, P. O. Box 35, Te Awamutu, Solicitors to the Council may be able to supply the information you require, as considerable correspondence has passed between this Office and the Solicitors.

DISPATCHED

15 JUN 1962

by 2 a

Yours faithfully,

*e*  
for G. L. O'Halloran,  
Secretary for Marine.

The District Administration Officer,  
Marine Department,  
P. O. Box 1254,  
AUCKLAND.

Copy for your information. Your reference 13/1507.

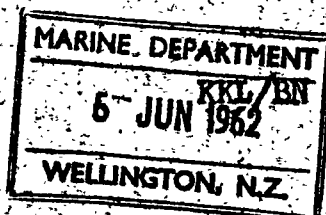
*e*  
for G. L. O'Halloran,  
Secretary for Marine.

B.U. 17. 7. 62



4/237 21

AB 13/1507



P.O. Box 1254,  
AUCKLAND

31 May 1962

Messrs Gibbs and McKay,  
Registered Surveyors,  
Security Buildings,  
Arawata Street,  
TE AWAMUTU

Dear Sirs

Reclaimed Land - Kawhia

With reference to your letter dated 14th May 1962 addressed to the Chief Surveyor, Lands and Survey Department, regarding answer from Marine Department, the matter has been referred to this office.

A request for a prompt reply has been forwarded to the Secretary for Marine, Wellington who will no doubt reply as soon as possible.

Yours faithfully,

The Secretary for Marine,  
WELLINGTON

*[Signature]*  
for R.A. Squire  
District Administration Officer

Reference, your file MD 4/237. Copy for your information. It appears that Gibbs & McKay wrote to you about two months ago, but have not yet received an answer. They may be getting a little impatient.

?  
*Rory Lamberton who said he must be meddled up he thinks now. Had the Surveyors write to you.*

*[Signature]*  
for R.A. Squire  
District Administration Officer

4/237

Ext 47

8 March 1962

Messrs. Judd, Hill, Brown & Kay,  
Barristers & Solicitors,  
P.O. Box 35,  
Te Anau.

Dear Sirs,

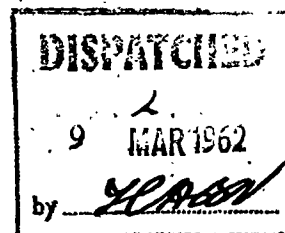
Otorohanga County Council -  
Reclamation - Kawhia Harbour

With reference to your letter of 23rd February, all that this Department requires in order that an Order in Council vesting the above reclamation in the corporation of the Otorohanga County Council may be issued, is a plan showing the area and also a survey description of the area. *Plan to scale of not less than 3 chains to 1 inch prepared by a registered surveyor and with all the tidal water coloured blue of the area sought.*

Yours faithfully,

*LSL*  
for G. L. O'Halloran  
Secretary for Marine

*197*  
The Commissioner of Crown Lands,  
Department of Lands and Survey,  
P.O. Box 469,  
HAMILTON.



Copy for your information. Your Ref 3/2418

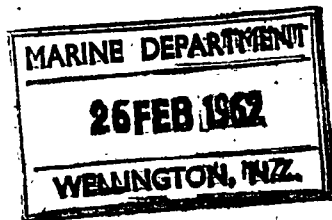
*LSL*  
for G. L. O'Halloran  
Secretary for Marine

**JUDD, HILL, BROWN & KAY**

**BARRISTERS AND SOLICITORS**

R. C. JUDD  
ALAN R. HILL, LL.B.  
M. W. BROWN, LL.M.  
BEVAN D. KAY, LL.B.

JCH:MLB



4/237  
TELEPHONES: 35 & 750  
P.O. BOX - - - - 3519

ROCHE STREET,  
TE AWAMUTU, N.Z.

23rd February, 1962.

The Secretary for Marine,  
P.O. Box 2395,  
WELLINGTON.

Dear Sir,

Re: Otorohanga County Council. Your reference  
M.4/237 of 24th November, 1961.

We thank you for the above letter and have now been advised by the Commissioner of Crown Lands at Hamilton that the land is not Crown Land but can be vested under Section 175 (4) Harbour's Act 1950 in their view also.

We are proceeding to have the necessary survey completed and would ask that you advise us of your requirements, apart from the survey, to enable the issue of the necessary Order in Council so that we may proceed immediately the survey is completed and approved.

Yours faithfully,

Judd, Hill, Brown & Kay.

per: 

Ext. 21.

9 February, 1962.

The Commissioner of Crown Lands,  
Lands & Survey Department,  
HAMILTON.

Otorohanga County Council  
Reclamation - Kawhai Harbour.  
(Your Ref. 3/24/48.)

Referring to your memorandum of 18 January I enclose a copy of a letter of 24 November which I wrote to Messrs Judd, Hill, Brown and Kay concerning this matter, copy of which was forwarded to you but which has apparently gone astray.

This letter I think, sets out the position as far as this Department is concerned.

Yours faithfully,

Enc. 1.

for G. L. O'Halloran  
Secretary for Marine.

DISPATCHED

12 FEB 1962

by *[Signature]*

COPY.

17

M4/237

WAC:LMD.

Ext 21

24 November 1961

Messrs Judd, Hill, Brown and Kay,  
Barristers and Solicitors,  
P.O. Box 35, Te Awamutu.

Dear Sirs,

Otorohanga County Council

I refer to the copy of the letter of 6 November to the Commissioner of Crown Lands Hamilton which you forwarded to me.

In our view any reclamation carried out under proper authority may on application and by Order in Council after proper survey be vested in the constructing authority notwithstanding that the whole of that authorised had not been carried out.

In the case under review provided a proper survey is carried out of the area now reclaimed and a plan of it submitted no difficulty is anticipated in vesting the area by the authority of an Order in Council under section 175 (4) of the Harbours Act 1950.

A copy of this letter has been forwarded to the Commissioner of Crown Lands Hamilton.

Yours faithfully,

The Commissioner of Crown Lands,  
Lands and Survey Department,  
HAMILTON.

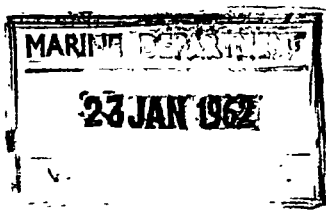
for G. L. O'Halloran  
Secretary for Marine.

For your information.

for G. L. O'Halloran  
Secretary for Marine

27/11/1961

Telegraphic Address:  
"LANDS"



4/237 :LMH 16  
In Your Reply  
3/2418  
Please Quote

DEPARTMENT OF LANDS AND SURVEY

District Office, P.O. Box 460,.....  
HAMILTON.

18 January 1962

The Secretary for Marine,  
Marine Department,  
P.O. Box 2395,  
WELLINGTON.

OTOROHANGA COUNTY COUNCIL : RECLAMATION KAWHIA HARBOUR

Messrs Judd, Hill, Brown and Kay, Barristers and Solicitors, Box 35, Te Awamutu, solicitors for the Otorohanga County Council wrote to this office in November inquiring whether it would be possible to issue title to land reclaimed under authority of an Order in Council published in Gazette 1915 page 1624. Solicitors stated that a copy of the letter had been sent to you. It seems doubtful that the land reclaimed can be treated as Crown Land subject to the Land Act 1948 for the purpose of giving title to the Council and I am wondering if you have replied to the solicitors and what attitude your Department has taken.

Would you please let me know if it is possible for the Council to obtain title under the provisions of the Harbours Act.

F.S. BEACHMAN  
Commissioner of Crown Lands,

Per: *G. Lake*



Extn 24

24 November 1961

Messrs Judd, Hill, Brown and Kay,  
Barristers and Solicitors,  
P.O. Box 35, Te Awamutu.

Dear Sirs,

Otorohanga County Council

I refer to the copy of the letter of 6 November to the Commissioner of Crown Lands Hamilton which you forwarded to me.

In our view any reclamation carried out under proper authority may on application and by Order in Council after proper survey be vested in the constructing authority notwithstanding that the whole of that authorised had not been carried out.

In the case under review provided a proper survey is carried out of the area now reclaimed and a plan of it submitted no difficulty is anticipated in vesting the area by the authority of an Order in Council under section 175 (4) of the Harbours Act 1950.

A copy of this letter has been forwarded to the Commissioner of Crown Lands Hamilton.

Yours faithfully,

for G.L. O'Halloran  
Secretary for Marine.  
The Commissioner of Crown Lands,  
Lands and Survey Department,  
HAMILTON,

For your information

DISPATCH

24 NOV 1961

by *[Signature]* G. L. O'Halloran  
Secretary for Marine  
27/11/1961

DISPATCH

27 NOV 1961

by *[Signature]*

**JUDD, HILL, BROWN & KAY**

**BARRISTERS AND SOLICITORS**

**R. JUDD**

**ALAN R. HILL, LL.B.**

**M. W. BROWN, LL.M.**

**BEVAN D. KAY, LL.B.**

**JGH:JVT**

14. 1257  
TELEPHONES: 35 & 750  
P.O. BOX 35

**ROCHE STREET,  
TE AWAMUTU, N.Z.**

**6th November, 1961.**

**The Commissioner of Crown Lands,  
Department of Lands & Survey,  
P.O. Box 460,  
HAMILTON.**

**Dear Sir,**

**re: OTOROHANGA COUNTY COUNCIL**

On the 23rd March, 1956 the County of Kawhia was abolished by Order in Council and portion thereof was included in the County of Otorohanga and the remainder in the County of Waikato. By the same Order in Council the Kawhia Harbour Board comprising members of the Kawhia County, was also dissolved and its responsibilities and duties devolved onto the Otorohanga County Council. On the 27th March, 1957 a further Order in Council was Gazetted providing that the Waikato and Otorohanga County Councils were authorised to enter into agreements relating to (inter-alia) real and personal property of the former Kawhia County Council and providing what parts thereof should become the property of the Counties of Otorohanga and Waikato respectively.

By an Order in Council dated the 29th April, 1955 the Kawhia County Council in exercise of its powers as a Harbour Board was authorised to reclaim portion of the Kawhia Harbour containing five acres and we attach hereto a copy of the Marine Department plan showing the area (Marine Department Plan M.D. 1323). An area of approximately 1½ acres has been reclaimed so far.

The old Kawhia County Council Chambers are marked on the plan and have been built on part of the area reclaimed. The Otorohanga County Council wish to build a new Town Hall on part of the reclaimed area and on an area of land to be taken from an adjoining owner Mrs. Oldbury. They wish to give part of the reclaimed land to Mrs. Oldbury in exchange for the area being taken from her and also a right of way over another portion of the reclaimed land. All these portions are shown in various colours on the plan attached hereto.

The Otorohanga County Council intend to sell the old Kawhia County Council chambers together with an area of approximately 1 rood and apply the proceeds towards the erection of the new Town Hall, the balance of the finance to be raised by a loan to be approved by the Local Bodies Loan Board.

From our reading and understanding of the Harbour Act, it would appear that unless the whole reclamation has been carried out

the appropriate Harbour Board or Controlling Local Authority cannot be given a fee-simple title to any of the area authorised to be reclaimed. It would appear therefore that the part that has been reclaimed is Crown Land. Under these circumstances the most appropriate action would be for a survey to be carried out showing separate lots and areas for the following:-

- (a) The area of approximately 1 rood on which the old Council Chambers are erected.
- (b) The area over which the Right of Way is to be granted
- (c) The area to be transferred to Mrs. Oldbury.
- (d) The area on which the new Town Hall is to be erected.

Titles for these portions could then be issued by Governor General's Warrant in the name of the Otorohanga County Council.

We are forwarding a copy of this letter to The Secretary for Marine for his information as it may well be that his Department would be directly concerned in any action that is taken.

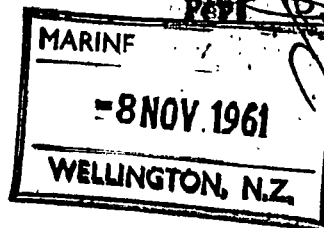
If you require any further information would you please contact the writer urgently and we would appreciate your reply as soon as possible as the Otorohanga County Council are anxious to proceed.

Yours faithfully,

JUDD, HILL, BROWN & KAY

Encs.

The Secretary of Marine,  
Marine Department,  
WELLINGTON.

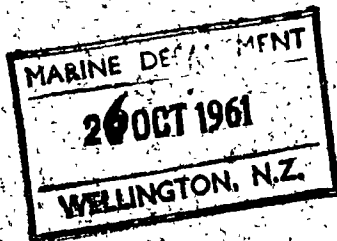


Copy for Your information.

JUDD, HILL, BROWN & KAY

Per:

*J. C. Handley*  
*P.P. J. C. Handley*



19 OCT 1961

Mr S.J. Hanning,  
Kawhia,  
via Te Awamutu.

Dear Mr Hanning,

I refer to my interim reply of 12 October and your letter to me concerning the erection of a Hall at Kawhia.

I understand the Hall is being built on land reclaimed from the harbour.

By Order in Council made on 19 April 1915 the former Kawhia County Council was authorised to reclaim 5 acres of the harbour between the old Kawhia County Council Chambers and Jervois Street but the work was not carried out at that time.

Subsequently, in August 1958, the Otorohanga County Council was advised by the Secretary for Marine that the authority given in 1915 passed to the Otorohanga County Council.

The Hall apparently is being constructed on portion of this reclaimed land and it seems the Council would be within its rights in carrying out the work.

Yours faithfully,

Minister of Marine.

The Minister of Marine.

Suggested letter for your signature if approved.

*G.L. O'Halloran*  
(G.L. O'Halloran)  
Secretary for Marine.  
18/10/61.

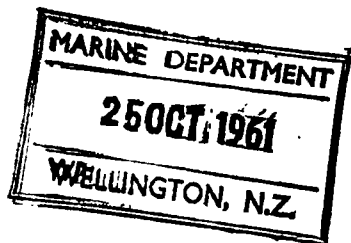
FOLIOS 6-7  
RESTORED TO FILE  
PLANS PLACED IN DOCKET  
FOLIO *11*

27/10/61

**JUDD, HILL, BROWN & KAY**  
BARRISTERS AND SOLICITORS

R. C. JUDD  
ALAN R. HILL, LL.B.  
M. W. BROWN, LL.M.  
BEVAN D. KAY, LL.B.

JCH:JVT



M.4 / 237 / 11  
TELEPHONES: 35 & 750  
P.O. BOX - - 35

ROCHE STREET,  
TE AWAMUTU, N.Z.

24th October, 1961.

The Secretary for Marine,  
P.O. Box 2395,  
WELLINGTON.

Dear Sir,

re: RECLAMATION - KAWHIA HARBOUR  
Your Reference M4/237

We thank you for your letter of 20th October  
enclosing a photocopy of part of plan M.D. 4323  
and have to inform you that this will be sufficient  
for our purpose.

Yours faithfully,

JUDD, HILL, BROWN & KAY

Per: 

GMCK:RW

ML/237

Extn 47

20 October 1961

Messrs Judd, Hill Brown  
and Kay,  
Barristers and Solicitors,  
P.O. Box 35, Te Awamutu.

Dear Sirs,

Reclamation - Kawhia Harbour

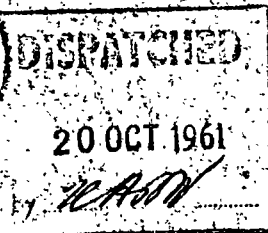
... With reference to your letter of 17 October 1961,  
I enclose a photocopy of a section of plan M.D. 4323  
showing the area of foreshore authorised to be re-  
claimed.

The plans approved in Council on 19 April 1945.

*CB*  
Difficulty was experienced in obtaining the  
photo copy and if it is not sufficient for your purposes  
another process will be used to include the full plan,  
but this would cause a further delay.

I have marked in ink the area shown edged red on  
the plan. There is no charge for this photocopy.

Yours faithfully,



Encl.

*GH*  
for G. L. O'Halloran  
Secretary for Marine

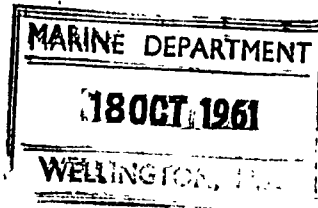


**JUDD, HILL, BROWN & KAY**

**BARRISTERS AND SOLICITORS**

R. C. JUDD  
ALAN R. HILL, LL.B.  
M. W. BROWN, LL.M.  
BEVAN D. KAY, LL.B.

JCH:JVT



ROCHE STREET,  
TE AWAMUTU, N.Z.

17th October, 1961.

The Secretary for Marine,  
Marine Department,  
P.O. Box 2395,  
WELLINGTON C.1.

Dear Sir,

re: RECLAMATION - KAWHIA HARBOUR  
Your Reference: M.4/237

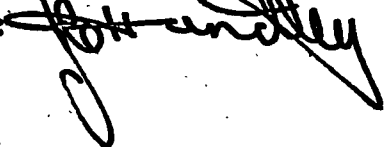
The Otorohanga County Council have referred to us your letter of 1st September, 1958 regarding an area authorised by Order in Council to be reclaimed. This authority was given to the Kawhia County Council which has now been taken over by the Otorohanga County Council. Your letter refers to a plan M.C. 4323 and you state that you have no spare copy of the plan.

We are now acting for the Otorohanga County Council and wish to proceed and obtain titles or at least clarify the whole position with regard to the area reclaimed. For this purpose it is vital that we have a copy of the above plan. Would you therefore please supply us with a photostat copy of the same and we undertake to forward you the necessary fee as soon as it has been advised to us.

We trust that you will treat this matter as urgent.

Yours faithfully,

JUDD, HILL, BROWN & KAY,

Per: 

Mr S.J. Hanning,  
Kawhia,  
via To Awamutu.

Dear Mr Hanning,

I refer to my interim reply of 12 October and your letter to me concerning the erection of a Hall at Kawhia.

I understand the Hall is being built on land reclaimed from the harbour.

By Order in Council made on 19 April 1915 the former Kawhia County Council was authorised to reclaim 5 acres of the harbour between the old Kawhia County Council Chambers and Jervois Street but the work was not carried out at that time.

Subsequently, in August 1958, the Otorohanga County Council was advised by the Secretary for Marine that the authority given in 1915 passed to the Otorohanga County Council.

The Hall apparently is being constructed on portion of this reclaimed land and it seems the Council would be within its rights in carrying out the work.

Yours faithfully,

Minister of Marine.

The Minister of Marine.

Suggested letter for your signature if approved.

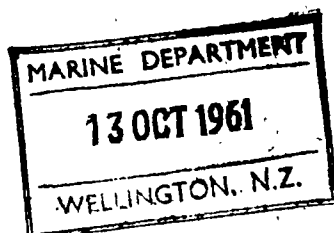
(G.L. O'Halloran)  
Secretary for Marine,  
18/10/61.

Copy the Otorohanga County Clerk  
who advised the position of the Hall  
as being on the reclamation at the  
back of the old Kawhia County Office  
& Jervois Street  
17/11/61

3/11/61  
B. J. O'Halloran

Mr Forrest would you ascertain  
position regarding original of this  
letter from Ministry Office  
27/11/61

3/11/61  
B. J. O'Halloran  
18/10/61



12 October 1961.

Dear Mr Hanning,

You wrote to me concerning the erection of a Hall at Kawhia, under the authority of the County Council, which you allege encroaches on land under the control of the Marine Department.

This matter will be investigated. It is quite probable that the Marine Department has already been consulted.

Yours faithfully,

A. G. GERRARD

Minister of Marine.

Mr S.J. Hanning,  
Kawhia,  
via TE AWAMUTU

Secretary for Marine

Referred for attention please.

A handwritten signature in dark ink, appearing to read 'N. G. Gerrard'.

12.10.61

7953'

19 OCT 1961

Received Minister's Office

Hawthia

Oct 10<sup>th</sup> 1961

To The Minister of Marine  
Government Building  
Wellington

Dear Sir

I am writing you  
in regard to a Hall  
being built at Hawthia  
The Back portion is only  
a few feet away from  
high water, in the  
Marine property. I heard  
over the wireless that  
all buildings on ~~Marine~~  
Marine <sup>property</sup> would have to  
be shifted

This hall is being built out  
of money ~~at~~ collected out  
of our rates under the  
Supervision of the  
Otorohanga County

council I reply a  
information would  
Yours faithfully

S. L. Flanning

Pawhia

Via Te Awanui

WAC/AT.

114/237

29 January 1959

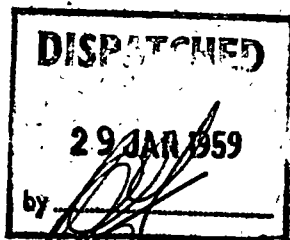
D. Seymour Esq.,  
Barrister and Solicitor,  
P.O. Box 79,  
HAMILTON.

Dear Sir,

re Kawhia Foreshore

With reference to your letter of 14 January, I regret that it would not be possible for your client to lease the harbour foreshore fronting Jervois Street for development as a boat harbour. A venture of this nature would hardly be acceptable as a private enterprise and in any case an Order in Council of 19 January 1915 (Gazette 29 April 1915, Vol. I, page 1634) authorises the local Council to reclaim an area of approximately 5 acres, and a recent letter from the Council shows that it has proposals now for providing additional vehicle parking areas in the Kawhia Township by the reclamation of portion of this area situated behind the old Kawhia County Council Chambers.

Yours faithfully,



*[Signature]*  
(G. L. O'Halloran)  
SECRETARY FOR MARINE



DOUGLAS SEYMOUR

M.A., LL.B.

BARRISTER AND SOLICITOR

M. 4 / 237 /

4  
TELEPHONES:

OFFICE 40565

RES. 1692

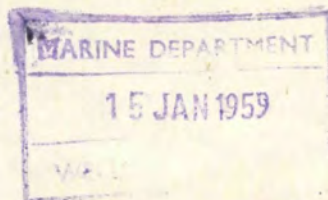
P.O. BOX 79

GOVERNMENT LIFE INSURANCE BUILDINGS,

MARLBRO PLACE,

HAMILTON, N.Z.

January 14th 1959.



The Secretary,  
Marine Department,  
Box 2395  
WELLINGTON

Dear Sir,

Re : Kawhia Foreshore

I am writing on behalf of a client to ascertain whether, and if so upon what terms, a lease of the harbour foreshore fronting Jervois Street could be obtained for development purposes. My client's ideas have not taken formal shape but the essence of the matter is that an area of apparently something like 5 acres, which would be enclosed by prolonging the existing sea wall, should be wholly or partially filled in to make it a safe boat harbour. The enterprise would be in the nature of a speculative venture, as the outlay incurred in forming a sea wall would be considerable, apart from the spoil required for filling. If however, a lease on nominal terms with right of renewal would be considered, I would be happy to discuss the matter with your local representative.

Faithfully yours,

*Douglas Seymour*

*Hardly  
available as  
Hwaik. venture*

1

4/2052

4/2509

4/4209

4/237

4/174

4/622 x

Handwritten signature or scribble



GMCK:  
MvH.

3  
M.4/237

1 September 1958

The County Clerk,  
Otorohanga County Council,  
P.O. Box 11,  
OTOROHANGA.

Dear Sir,


RECLAMATION - KAWHIA HARBOUR

... With reference to your letter of 15 August and enclosed print, I have to advise that the Order in Council of 19 April 1915 gives your Council authority to proceed with the reclamation as shown on your print subject to the conditions of the said Order in Council (copy enclosed).

Plan M.D. 4323 showing an area of 5 acres edged red includes the area of proposed reclamation.

sb I regret that there is no spare copy of plan M.D.4323.

Yours faithfully,

  
(G. L. O'HALLORAN)  
SECRETARY FOR MARINE

Encl:





P.O. Box 11  
TELEPHONE 149

R. F. MORGAN  
COUNTY CLERK

B. MCKENZIE  
COUNTY ENGINEER

RFM/WM

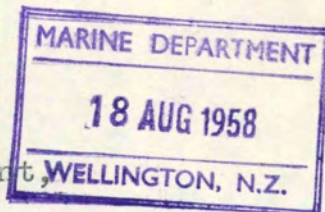
# Otorohanga County Council

## COUNCIL CHAMBERS

*Ballance Street,  
Otorohanga*

15th August, 1958.

The Secretary,  
Marine Department,  
P.O. Box 2395,  
WELLINGTON C.1.



*I have received  
1 sheet single  
18-8-58*

Dear Sir,

RE: KAWHIA HARBOUR.

My Council has proposals for providing additional vehicle parking areas in the Kawhia Township and has in mind the reclamation of portion of the Harbour situated behind the old Kawhia County Council Chambers, and shown on the attached print shaded in red.

The former Kawhia County Council, by Order in Council made on the 19th day of April, 19~~15~~<sup>58</sup> was authorised to reclaim portion of the Harbour edged in red on a plan marked M.D. 4323. I have been unable to locate a copy of this plan; But understand that the area shown on the attached print was included in the original proposal.

I now wish to ascertain whether the above Order in Council gives my Council the necessary authority to proceed with the work; if not, what steps will need to be taken to obtain same.

Yours faithfully,



*R. F. Morgan*

COUNTY CLERK.

M

SERIES. 4

Sub-No.

2327  
EG

12th. December, 1927.

The Clerk,  
Kawhia County Council,  
KAWHIA.

Dear Sir:-

Adverting to your telegram of the 7th. instant, regarding a reclamation fronting the town of Kawhia, I have to inform you that on the 8th. July, 1914, a letter was received from your Council applying for authority to reclaim the area, but your Council was advised on the 17th. idem that at that time there was no power to authorise your Council as a Harbour Board to carry out the reclamation, in view of the fact that the Harbour Board did not come within the definition of local authority under the Harbours Act, and that it was proposed to make the necessary provision to overcome the difficulty by amending the Harbours Act.

Following the 1914 amendment of the Harbours Amendment Act 1910 an Order in Council (copy enclosed) was issued on the 19th. April, 1915, authorising your Council to carry out the reclamation, and a copy of the plan is forwarded herewith.

Yours faithfully,

A. G. COOPER,

Secretary.



72

# NEW ZEALAND POST OFFICE TELEGRAPHS.

Recd: 2.39

From AK

By WB

Ackgd. by 10

NOTE.—THIS FORM  
MUST ACCOMPANY  
ANY INQUIRY MADE  
RESPECTING THIS  
TELEGRAM.

Sent: 18 DEC 1921

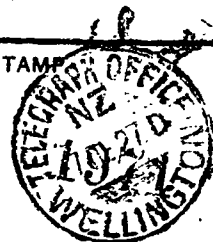
To

By

Ackgd.:

Checked  
by

OFFICE STAMP



Tel. 141

D 300 42/1 LETTER KAWHIA 1 53 P +

SECRETARY MARINE DEPT WELLINGTON +

MY WIRE NINTH NOVEMBER FORESHORE RECLAMATION ONLY TRACE  
HERE MINUTE INSTRUCTION TO CLERK JULY NINETEEN FOURTEEN  
ASKING DEPARTMENT REST AREA ADJOINING OFFICE SITE FORESHORE  
IN BOARD CAN YOU TRACE WHAT WAS DONE MEETING COUNCIL  
SEVENTEENTH +

ESTHER COUNTY CLERK ++



4  
2627

H/O

Wellington.  
11/27.

M. SERIES  
SUB-NO.

237

COUNTY CLERK  
KAWHIA

HAVE NO RECORD OF FORESHORE LICENSE KAWHIA WHARF ABOUT 1915  
MANAGEMENT OF WHARF WAS VESTED IN COUNCIL TWENTYFIFTH NOVEMBER  
1906 ORDER IN COUNCIL IN THE GAZETTE PAGE THREE NOUGHT  
FIVE NINE




SECRETARY MARINE

Dispatched *OK*

*Return file to the Tunnies room.*

*mh*

# NEW ZEALAND POST OFFICE TELEGRAPHS.

Recd.: <u>10-16a</u>	NOTE.—THIS FORM MUST ACCOMPANY ANY INQUIRY MADE RESPECTING THIS TELEGRAM.	Sent: _____	Checked by <u>[Signature]</u>	OFFICE STAMP. 
From <u>AK</u>		To _____		
By <u>WLB</u>		By _____		
Ackgd. by _____		Ackgd.: _____		

REPLY PAID.



Tel. 141

D 88 17/2 REPLY PAID KAWHIA 9.55 A +

SECRETARY MARINE DEPARTMENT WELLINGTON

+ PLEASE OBLIGE GAZETTE REFERENCE INFORMED ABOUT 1915

PERMITTING OUR FORESHORE OCCUPATION +

COUNTY CLERK +

*Co. Clerk, Hāstoria, 11-11-27.*

CT 1915 +



78/134

23/1/20th February

7.

The Town Clerk,  
Kawhia Town Board,  
Town Board Office,  
KAWHIA.

Sir,

I have the honour, by direction of the Minister of Marine, to acknowledge the receipt of your letter of the 6th instant, in which you ask whether a small, shallow bay, immediately opposite the Post Office, may be vested in the Town Board as a reserve for municipal purposes in the event of its not having been vested in the County Council; and in reply to state that the County Council, exercising the powers of a Harbour Board for Kawhia Harbour, has been authorised to reclaim the area referred to, and it has been decided that when reclaimed it will be vested in the County Council.

I have the honour to be,

Sir,

Your obedient servant,

(343) GEORGE ALLPORT

Secretary.

File

# Kawhia Town Board




Town Board Office,  
Kawhia 6th Feby 1917

Shelton The Minister for Marine,  
Wellington.

Sir,

I am instructed by the Kawhia Town Board to ask you if the small, shallow bay immediately opposite the post office, is vested in the Kawhia Harbour Council, and if not would it be possible to get it vested in the Town Board as a reserve for future municipal purposes if they were to apply for it.

Yours faithfully

  
J. W. Shelton

Town Clerk Kawhia Town Board 7/8/17 25/2/17



[Extract from *New Zealand Gazette*, 29th April, 1915.]

*Authorizing the Kawhia County Council to reclaim Land in  
Kawhia Harbour.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this nineteenth  
day of April, 1915.

Present:

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

WHEREAS it is enacted by section forty-two of the  
Harbours Amendment Act, 1910, as amended by  
section seventeen of the Harbours Amendment Act, 1914,  
that the Governor in Council may from time to time by Order  
in Council authorize any local authority or Harbour Board  
to reclaim areas not exceeding five acres in extent in any case  
where he considers that the reclamation will not affect naviga-  
tion and is for the benefit of the public:

And whereas the Kawhia County Council, in exercise of its  
powers as a Harbour Board for the Harbour of Kawhia (and  
hereinafter called "the Council"), has applied to the Governor  
in Council for authority to reclaim an area of five acres in  
extent in Kawhia Harbour, and it has been made to appear  
to him that the said reclamation will not affect navigation  
and is for the benefit of the public:

Now, therefore, His Excellency the Governor of the Do-  
minion of New Zealand, in pursuance and exercise of the power  
and authority vested in him by the hereinbefore-recited Acts,  
and of all other powers and authorities enabling him in that  
behalf, and acting by and with the advice and consent of the  
Executive Council of the said Dominion, doth hereby autho-  
rize the Council to reclaim that portion of Kawhia Harbour  
which is particularly shown and delineated edged in red on  
plan marked M.D. 4323, and deposited in the office of the  
Marine Department at Wellington, subject to the following  
conditions.

CONDITIONS:

1. The Council shall construct and keep in good order and  
repair a permanent and substantial protective facing on the  
seaward sides of the said reclamation, in order to prevent any  
of the material used in the reclamation being washed into the  
navigable channel; provided that the work shall not be  
carried out until plans showing the style of protection pro-  
posed to be adopted have been submitted to and approved  
by the Marine Department.

2. In the event of any local authority other than the Council  
being duly constituted a Harbour Board in respect of the  
Harbour of Kawhia, the Council shall transfer to such Board  
the control and management of the land reclaimed under the  
authority of this Order in Council, with the exception of that  
portion shown cross-hatched in red on the said plan M.D. 4323,  
which shall remain under the control and management of the  
Council.

J. F. ANDREWS,  
Clerk of the Executive Council.



M. 4  
2377

In Executive Council.

*His Excellency the Governor is recommended to sign the accompanying Order in Council authorising the Kawhia County Council to reclaim land in Kawhia Harbour.*

*W. J. M.*

Minister of Marine.

Marine Department,

APPROVED IN COUNCIL.

Wellington, N.Z., 9th April, 1915.

*W. J. M.*

19. 4. 1915.

*L. J. M.*

GOVERNOR.

*A. J. M.*

Clerk of the Executive Council.

✓  
20

4. 1915.

Sent to Gazette

*M. J. M.*  
22 4 15



Authorising the Kawhia County Council to reclaim land in  
Kawhia Harbour.



GOVERNOR:

GOVERNMENT BUILDINGS  
At the ~~Government~~ <sup>GOVERNMENT BUILDINGS</sup>

ORDER IN COUNCIL:  
at Wellington, this <sup>19<sup>th</sup></sup>  
day of *April*, 1915

PRESENT:

The Right Honourable W. F. Massey, P.C., presiding.

in Council.

WHEREAS it is enacted by Section 42 of "The Harbours Amendment Act, 1910" as amended by section 17 of "The Harbours Amendment Act, 1914", that the Governor in Council may from time to time by Order in Council authorise any Local Authority or Harbour Board to reclaim areas not exceeding five acres in extent in any case where he considers that the reclamation will not affect navigation and is for the benefit of the public:

AND WHEREAS the Kawhia County Council, in exercise of its powers as a Harbour Board for the harbour of Kawhia (and hereinafter called "the Council"), has applied to the Governor in Council for authority to reclaim an area of five acres in extent in Kawhia Harbour, and it has been made to appear to him that the said reclamation will not affect navigation and is for the benefit of the public:

NOW, THEREFORE, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the hereinbefore recited Acts and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby authorise the Council to reclaim that portion of Kawhia Harbour which is particularly shown and delineated edged in red on plan marked M.D. 4323 and deposited in the Office of the Marine Department at

Wellington

Wellington, subject to the following conditions:-

CONDITIONS.

- (1). The Council shall construct and keep in good order and repair a permanent and substantial protective facing on the seaward sides of the said reclamation, in order to prevent any of the material used in the reclamation being washed into the navigable channel; Provided that the work shall not be carried out until plans showing the style of protection proposed to be adopted have been submitted to and approved by the Marine Department.
- (2). In the event of any Local authority other than the Council being duly constituted a Harbour Board in respect of the harbour of Kawhia, the Council shall transfer to such Board the control and management of the land reclaimed under the authority of this Order in Council, with the exception of that portion shown cross-hatched in red on the said plan M.D. 4323, which shall remain under the control and management of the Council.



Clerk of the Executive Council.



M. <sup>4</sup>/<sub>2377</sub>

In Executive Council.

*His Excellency the Governor is recommended to* in pursuance of section 150 of "The Harbours Act, 1908" to approve the accompanying plan marked M.D. 4323, in duplicate, of a reclamation which the Kawhia County Council proposes to construct in Kawhia Harbour.

*W. H. Smith*

Minister of Marine.

APPROVED IN COUNCIL.

Marine Department,

Wellington, N.Z., 9th April, 1915.

*H. J. M.*

*19. 4. 1915.*

*Livingston*

GOVERNOR.

*A. Anderson*

Clerk of the Executive Council.

*20 . 4. 1915.*

4  
2377

D.

Marine.

SERIES  
Sub-No.

4  
2377

34/540

26th April,

15.

I have the honour to acknowledge the receipt of your letter of the 4th ultimo, forwarding plans showing the reclamation proposed to be carried out by your Council in Kawhia Harbour, and in reply to inform you that His Excellency the Governor in Council has, in pursuance of the provisions of section 42 of "The Harbours Amendment Act, 1910" as amended by section 17 of "The Harbours Amendment Act, 1914", authorised the Council to carry out the reclamation subject to the conditions contained in the Order in Council, a copy of which is forwarded for your information. I also forward, under separate cover, a copy of the approved plan of the proposed reclamation. You will see from Clause 1 of the conditions of the Order in Council that the work is not to be carried out until plans showing the style of protection around the reclamation, proposed to be adopted, have been submitted to and approved by this Department.

In connection with this matter I have to state that the approval of this reclamation is not to be taken in any way as proof that the Marine Department will authorise the reclamation of other areas in Kawhia Harbour. This harbour, like many others, depends for its existence on the volume of the tidal scour, and any reclamation, therefore, will tend to affect the depth of water on the bar.

I have the honour to be,

Sir,

Your obedient servant,

(Sd.) GEORGE ALLPORT

The Clerk,

Kawhia County Council,

KAWHIA.

Secretary

The Secretary, Marine Department.

KAWHIA - PROPOSED RECLAMATION.

It is recommended that the reclamation be approved subject to the County Council constructing a permanent and substantial protective facing so as to prevent any of the material used in the reclamation being washed into the navigable channel. The Council must submit for approval plans showing the style of protection proposed to be adopted.

The County Council should be informed that the approval of the reclamation of this area is not to be taken in any way as a proof that the Marine Department will authorise the reclamation of other areas in Kawhia Harbour. This harbour, like many others, depends for its existence on the volume of the tidal scour. Any reclamation, therefore, will tend to affect the depth of water on the bar.

*A. D. Holmes*

Marine Engineer.  
25/3/15.

Hon. Minister,

Adverting to the Minister's approval on the 15th August last attached, for the reclamation of certain land in Kawhia Harbour, the reclamation may now be authorised subject to the conditions stated in the attached Order in Council which I recommend be made.

If you approve will you please sign the attached recommendations (2) to the Governor in Council?

*Sent to Mr Andrews*

*George Rogers*  
9. 4. 15

*10/4/15*

*Used  
10  
7/3/15.*

Kawhia proposed reclamation.

---

Marine Department,

Wellington, N.Z.,

9th April, 1915.

I certify that the construction of a reclamation in Kawhia Harbour, in accordance with plan M.D. 4323, subject to the construction of a permanent and substantial protective facing so as to prevent any of the material used in the reclamation being washed into the navigable channel, will not be or tend to the injury of navigation.

*Hugh Dickenson*  
for, Marine Engineer.



**Authorising the Kawhia County Council to reclaim land in  
Kawhia Harbour.**

---

**GOVERNOR:**

**ORDER IN COUNCIL:**

**At the Government at Wellington, this  
day of 1915  
PRESENT:**

**in Council.**

**WHEREAS** it is enacted by Section 42 of "The Harbours Amendment Act, 1910" as amended by section 17 of "The Harbours Amendment Act, 1914", that the Governor in Council may from time to time by Order in Council authorise any Local Authority or harbour Board to reclaim areas not exceeding five acres in extent in any case where he considers that the reclamation will not affect navigation and is for the benefit of the public:

**AND WHEREAS** the Kawhia County Council, in exercise of its powers as a Harbour Board for the harbour of Kawhia (and hereinafter called "the Council"), has applied to the Governor in Council for authority to reclaim an area of five acres in extent in Kawhia Harbour, and it has been made to appear to him that the said reclamation will not affect navigation and is for the benefit of the public:

**NOW, THEREFORE,** His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the heretofore recited Acts and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby authorise the Council to reclaim that portion of Kawhia Harbour which is particularly shown and delineated edged in red on plan marked H.D. 4323 and deposited in the Office of the Marine Department at

**Wellington**

Wellington, subject to the following conditions:-

CONDITIONS.

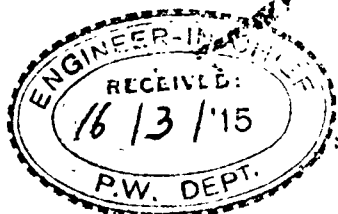
- (1). The Council shall construct and keep in good order and repair a permanent and substantial protective facing on the seaward sides of the said reclamation, in order to prevent any of the material used in the reclamation being washed into the navigable channel; Provided that the work shall not be carried out until plans showing the style of protection proposed to be adopted have been submitted to and approved by the Marine Department.
- (2). In the event of any Local authority other than the Council being duly constituted a Harbour Board in respect of the harbour of Kaitia, the Council shall transfer to such Board the control and management of the land reclaimed under the authority of this Order in Council, with the exception of that portion shown cross-hatched in red on the said plan M.D. 4323, which shall remain under the control and management of the Council.

Clerk of the Executive Council.

KAWHIA . PROPOSED RECLAMATION .

The Marine Engineer,

Will you please say whether there  
is now any objection to the proposed work?



*George Reppert*  
12. 3. 15

*Secretary for Marine*  
*Are tracings referred to Island*  
*Ris Holmes*

~~The Marine Engineer,~~

~~Tracings herewith.~~

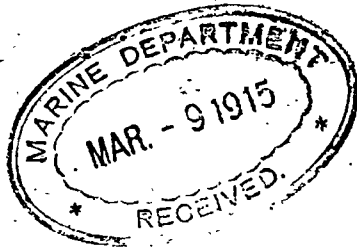
*as 16/3/15*

*The Marine Engineer,*  
*Please see Blue*  
*prints (not tracings) attached*

*J. Miller*  
*for Secy.*  
*19. 3. 1915*

*St.*  
*23. 3. 1915.*

# Kawhia County Council.



County Office, Kawhia, March 4th 1915

The Secretary,  
Marine Department,  
Wellington.

Sir,

With reference to your letters of the 20th August and 3rd October 1914, on the subject of the proposal of this Council to reclaim an area not exceeding 5 acres in front of the Township of Kawhia, I now send you, in duplicate, tracing of the proposed reclamation showing the 7 feet water mark, also the portion proposed to be vested in the County Council as an office site.

You will observe that the portion of the proposed reclamation below the 7 foot mark is very small, moreover it is included in a portion of the foreshore which has been taken for the purposes of a road (see Gazette October 19th, 1913, p.2960). Under these circumstances I presume the Marine Engineer will offer no objection to the reclamation as shown on the plan.

The section proposed to be vested in the Council as an office site, as apart from the remainder which is proposed to be vested in the Council as a Harbour Board, is Section 5 Block 2 on the plan, and contains approximately 36 perches.

I return you herewith Plan M.D. 4323

Yours faithfully,

*B. H. Barton*

County Clerk.

*Harbina County Council 36/540 26/4/15*



4  
2377

Marine.

14  
Sub-No.

257

M.

23/

76

28th October,

14

I have the honour to acknowledge the receipt of your letter of the 7th instant, and in compliance with your request I return, under <sup>e</sup>parate cover, the plan forwarded with your letter of the 2nd June last in order that a fresh plan may be prepared.

Please return this plan with the fresh plan as it is a record of this Department.

I have the honour to be,

Sir,

Your obedient servant,

(142) GEORGE ALFORD

Secretary.

The Clerk,

Kawhia County Council,

KAWHIA.

*File*



# Kawhia County Council.

County Office, Kawhia, October 7th 1914

The Secretary,  
Marine Department,  
Wellington.

Sir,

With reference to your letter of the 3rd inst., on the subject of the proposed reclamation at Kawhia, I shall be obliged if you will return me the plan forwarded with my letter of the 2nd, June, in order that the fresh plan required may be prepared.

Yours faithfully,

*B. J. Barton*  
County Clerk.

*Kawhia C.C.*  
*23/7 6 28/10/14*

# Kawhia County Council.



County Office, Kawhia, October 2nd 1914

The Secretary,  
Marine Department,  
Wellington.

Sir,

I am directed to acknowledge receipt of your letter of the 20th August, relative to the proposal to reclaim a portion of the foreshore fronting the Town of Kawhia and to the vesting of same, and to thank you for the consideration given to the Council's suggestions on the matter.

The Council will be much obliged if you will advise as to the Marine Engineer's decision regarding the reclamation at your earliest convenience, as it is proposed to proceed with the erection of a building at an early date.

Yours faithfully,

*B. H. Barton*

*crossed reply 7/2/14 before* County Clerk.

2377

Marine.

SERIES

SUB-NO.

237

M.

21/ 332

3rd October,

14

Adverting to the last paragraph of my letter No. 18/383 of the 20th August last on the subject of the proposed reclamation at Kawhia, I have now the honour to state that the Marine Engineer reports that in his opinion there is no objection from a navigation point of view to the reclamation, provided it is limited to that portion lying between the present high water mark, and a line indicating where there is 7 feet of water at high water ordinary spring tides.

I shall therefore be glad if you will be good enough to let me know whether your Council agrees to this, and if it does I shall feel obliged if you will send a fresh plan, in duplicate, of the area proposed to be reclaimed.

I have the honour to be,

Sir,

Your obedient servant,

(Sd.) GEORGE ALLPORT,  
Secretary.

The Clerk,

Kawhia County Council,

KAWHIA.

4  
237/ M. 4/237  
The Secretary,

Marine Department.

KAWHIA HARBOUR.

In connection with this matter I would like to know whether an interpretation has ever been given as to what constitutes navigable water. As I understand the matter, it is only possible by Order-in-Council to authorise reclamation where the water is not navigable at high tide. As a portion of the area proposed to be reclaimed by the Kawhia County Council has 12ft. of water on it at high tide, ranging from that down to nothing, it would appear that some of it, at least, must be classed as navigable. I would like to have your interpretation of "navigable water" before dealing further with the matter.

*F. W. Furber*

14/9/14.

Acting Marine Engineer.

The Marine Engineer,

The rise and fall of tides at springs at Kawhia is 12 feet and at neaps 9 feet, and therefore I think that any tidal area at this place where there is 7 feet of water at ordinary high water spring tides, such may fairly be considered to be navigable.

*George Beepore*  
18.9.14

The Secretary, Marine Dept.

I consider that there would be no objection to the Kawhia County Council being empowered to reclaim a portion of the 5 acres applied for by them, the reclamation to be limited to the portion lying between the present high-water mark and a line indicating where there is 7 feet of water at ordinary spring tides.

25/9/14.

*F. W. Furber*

Acting Marine Engineer.

4  
2377

4  
237

H.

18/5/23

20th August, 14.

I have the honour to acknowledge the receipt of your letter of the 4th instant in which you state that an area of about a quarter of an acre of the proposed reclamation at Kawhia should be vested in the County Council as a site for Council Chambers, etc. and that the balance of the 5 acres be vested in the ~~Borough~~ <sup>County</sup> Council as a Harbour Board.

In reply I have to state that this proposal is considered to be reasonable and the Department is therefore prepared to accede to it when authorising the reclamation.

The Marine Engineer is now being consulted as to whether he considers the reclamation will have an injurious effect upon the navigation of the Harbour, and if he is of opinion that it will not, steps will be taken for the issue of the necessary Order in Council.

I have the honour to be,  
Sir,

Your obedient servant,

GEORGE ALLEN,  
Secretary.

The Clerk,  
Kawhia County Council,  
KAWHIA.

*The Marine Engineer  
increase will. you  
you think say whether  
reclamation the  
carried out will  
have any injurious  
effect upon the  
harbour?*

*29.8.14*

KAWHIA PROPOSED RECLAMATION.

Hon. Minister,

As regards my minute of 14.7.14 attached, the Kawhia County Council, which also exercises the powers of a Harbour Board in respect of the harbour, agrees with the suggestion of the Department that in the event of a body separate from the County Council becoming a Harbour Board the land to be reclaimed should be vested in the Board, but it desires that about a quarter of an acre of the area should remain vested in the Council for a site for Council Chambers etc. This I think is a reasonable proposition and I recommend that it be approved and that the reclamation be then authorised as soon as the Harbours Amendment Bill becomes law.

*George Rees*  
13. 8. 14

*Approved*  
*JMM.*  
15. 8. 14

*Kawhia CC 18/3/13 20/8/14*



# Kawhia County Council.

Marine. 4  
Sub-No. 237

County Office, Kawhia, August 4th 1914

The Secretary,  
Marine Department,  
Wellington.

Sir,

I have to acknowledge receipt of your letter of the 17th ulto. with reference to the application made by this Council for authority to reclaim a portion of the foreshore fronting the Town of Kawhia.

I am directed to inform you that the Council agrees in the main with what you say regarding the vesting of the area reclaimed in the Council as a Harbour Board.

The position of the Council regarding the matter is, however, as follows - The Council is not at present in possession of a suitable site whereon to build an office. A portion of the area sought to be reclaimed could with comparatively small expense be made suitable for such purpose. It is suggested that an area of about a quarter acre be vested in the Council, as a County Council, for the purpose of a site for Council Chambers &c., and the balance of the five acres be vested in the Council as a Harbour Board.

In support of this suggestion I may mention that the present offices provided, which are used for harbour business, are provided by the County, and no charge has been made against the Harbour account in respect of same.

I shall be glad if you will favour me with your views hereon, and to learn whether your Department can assist the Council in the direction indicated.

Yours faithfully,

A handwritten signature in dark ink, appearing to read "B. J. Barlow". The signature is written in a cursive style with a long, sweeping horizontal line extending from the end of the name.

County Clerk.

4  
3377  
M.

16/ 66

Marine. <sup>4</sup>  
SERIES  
SUB-NO. 237

17th July

14.

I have the honour to acknowledge the receipt of your letter of the 8th instant, with reference to the application made to reclaim an area not exceeding 5 acres on the foreshore fronting the town of Kawhia, and in reply to state that it is considered that the authority should be given to the Council as exercising the powers of a Harbour Board so that in the event of a board separate from the County Council being constituted at any time in the future the land would belong to the Board.

As the Harbour Board does not at present come within the definition of local authority under the Harbours Act the authority could not be given to the Council as a Board but it is proposed to alter the definition to include Harbour Boards by amending the latter in the Harbours Amendment Bill which is now before Parliament, and as soon as this Bill is passed with the necessary amendment the question of issuing the authority to reclaim will be dealt with.

I have the honour to be,

Sir,

Your obedient servant,

The County Clerk,  
Kawhia County Council,  
KAWHIA.

Secretary.

KAWHIA PROPOSED RECLAMATION.

Hon. Minister,

As regards your minute of 8/7/14 attached, a reply has now been received from the Harbour Board in which it states that the land proposed to be reclaimed does not exceed 5 acres and that the depth of water on it is not sufficient for navigation, a considerable portion of it being barely covered by the highest spring tides. The reclamation of it can therefore be authorised by the Governor in Council under the provisions of section 42 of "The Harbours Amendment Act, 1910" if the authority is given to the County Council and not to it as a Harbour Board. An amendment which is proposed to be made by the Harbours Amendment Bill now before Parliament will enable authority to be given to the Council as a Harbour Board, and this is what I think should be done. I therefore recommend that it be decided to authorise the reclamation, but that the granting of the necessary Order in Council be held over pending the passing of the Harbours Amendment Bill.

*George Keppel*  
14.7.14

*Amnd  
mmmm  
16/7/14  
L.B. 16/56 17/7/14*

# Kawhia County Council.

*County Office, Kawhia,* July 8th, 1914

The Secretary,  
Marine Department,  
Wellington.

Sir,

In reply to your letter of 17th ultimo. with reference to this Council's application for authority to reclaim an area not exceeding 5 acres on the foreshore fronting the Town of Kawhia, I have to inform you that the depth of water on the ~~pp~~ land mentioned is not sufficient for the purpose of navigation, in fact a considerable portion of it is barely covered by the highest spring tides. Therefore I should say it comes under the proviso of subsection (1) of section 42 of "The Harbours Amendment Act, 1910"

Yours faithfully,

*B. H. Barton*  
County Clerk.

4  
377

Marine. SERIES 4  
SUB-NO. 237

M.

15/ 342

9th July

14.

I have the honour to point out that no reply has been received to my letter of the 17th ultimo on the subject of your Council being authorised to reclaim an area not exceeding 5 acres on the foreshore fronting the town of Kawhia.

I enclose a copy of the letter referred to and shall be glad to receive a reply from you at an early date.

I have the honour to be,

Sir,

Your obedient servant,

(sgd.) GEORGE ALLPORT  
Secretary.

The County Clerk,  
Kawhia County Council,  
KAWHIA.



KAWHIA HARBOUR RECLAMATION.

Hon. Minister,

The position with regard to this matter is that a reply to the Council's application to reclaim the area required was sent on the 17th June to the County Clerk, asking for certain information (see copy of my letter attached), but this has not yet been supplied.

I understand, however, from the attached sketch which was handed to you by Mr. Shaw, County Chairman, that the area required is tidal land over which the depth of water is not at any time sufficient for the purposes of navigation, and, if so, its reclamation can be authorised by Order in Council under subsection (1) of section 42. of "The Harbours Amendment Act, 1910", provided it is for the benefit of the public. I have no information as to what the area is required for.

*George Peepers*  
 7. 8. 14

*Please note and ascertain reply of  
 Board to your previous letter.*

*WMS.  
 8/7/14  
 Kawhia C.C. 15/342 9714*

M.

13/ 3.42

June 17th

14.

Adverting to your letter of the 2nd instant and the Minister's reply of the 1st instant on the subject of your Council being authorised to reclaim an area not exceeding 5 acres on the foreshore fronting the town of Kewhia, I have the honour to state that it is not clear whether the land comes under the proviso of subsection (1) of section 42 of "The Harbours Amendment Act, 1911" that is whether the reclamation can be authorised under that proviso.

Of course it can only be so dealt with if the depth of water on it at high water spring tides is not sufficient for the purpose of navigation.

If it cannot come under the proviso referred to, it can only be authorised by a special act of Parliament or a special order made by the Governor in Council. A special order can of course only be granted in the case of a Harbour Board under section 158 of "The Harbours Act, 1908" and if such order is desired by your Council exercising the powers of a Harbour Board, it

will

The County Clerk,

Kewhia County Council,

KAWHIA.

will be necessary for it to take the preliminary steps set forth in the section of the Act referred to.

I shall be glad to receive further information as to what you require.

I have the honour to be,

Sir,

Your obedient servant,

GEORGE ALLPORT, (884)  
Secretary.

Previous Paper.

2396

2396

10th June, 1914.

The County Clerk,

Kawhia County Council: KAWHIA:

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Dear Sir,

I have received your letter of the 2nd instant making application on behalf of your Council for authority to reclaim an area on the foreshore fronting the Town of Kawhia. I am going into the matter, and when enquiries are complete, I shall write you again.

Yours faithfully,

(Sgd.) F. M. B. FISHER

Secretary of Marine.

For attention.

RECORDED

M.D. 4323

12-9-14

ENTERED ON INDEX MAP

M.D. 3309.

Sheet No. 25 25

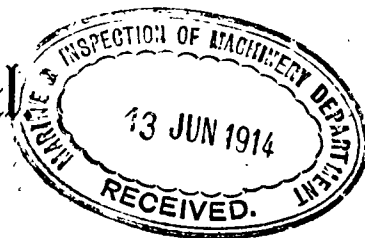
Date: 12-9-14

Minister of Marine.

---

Marine. SERIES 4  
SUB-NO 237

# Kawhia County Council



County Office, Kawhia, June 2 1914

The Hon. the Minister of Marine,  
Wellington.

Sir,

I have the honour by direction of the Kawhia County Council to make application for an Order in Council authorising the Council to reclaim an area not exceeding five acres on the fore-shore fronting the Town of Kawhia.

I enclose herewith a plan showing the extent of the land sought to be obtained.

I have the honour to be,

Sir,

Your obedient servant,

*B. F. Barton*

County Clerk.

*Kawhia C.C. 15/3 32 17. 16/14*



**Wide format was located here in this file**

**To view the wide format image(s) please go to the end of this document**

**The numbers listed below are also on the wide format image(s) that belong here**

**6193**



B.

7/ 268

26th March, 14.

I have the honor to acknowledge the receipt of your letter of the 10th instant, in which you ask for information as to the title of land reclaimed under section 42 of "The Harbours Amendment Act, 1910"; and in reply to state that the reclamation referred to vests in the Crown, but under section 145 of "The Harbours Act, 1908", the Government has power to vest any such land in the local authorities which reclaim it.

I have the honor to be,

Sir,

Your obedient servant,

(Sd/-) GEORGE ALLPORT,

Secretary.

The Clerk,

Kawhia County Council,

Kawhia.

# Kawhia County Council.

County Office, Kawhia, March 10th 1914

The Secretary,  
Marine Department  
Wellington.

Sir,

It has been suggested that this Council should reclaim a small bay in front of the Kawhia Township which is dry soon after half-tide.

I notice that Section 42 of "The Harbours Amendment Act, 1910" provides that any local authority may be authorised by Order in Council to reclaim areas not exceeding five acres. It is not, however, clear from the Act as to whom such reclaimed land is vested in. Would you be kind enough to enlighten me on this point.

Yours faithfully,

*B. J. Barton*  
County Clerk.

*Kawhia 66/1 368 25-3-14*



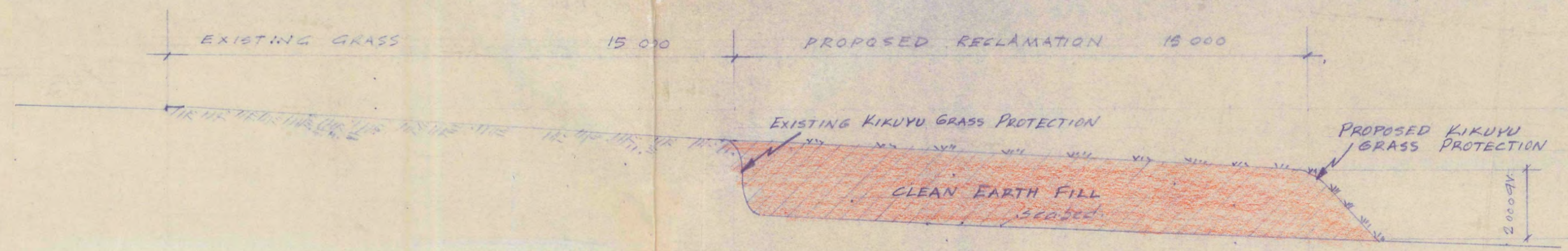
9/1/3



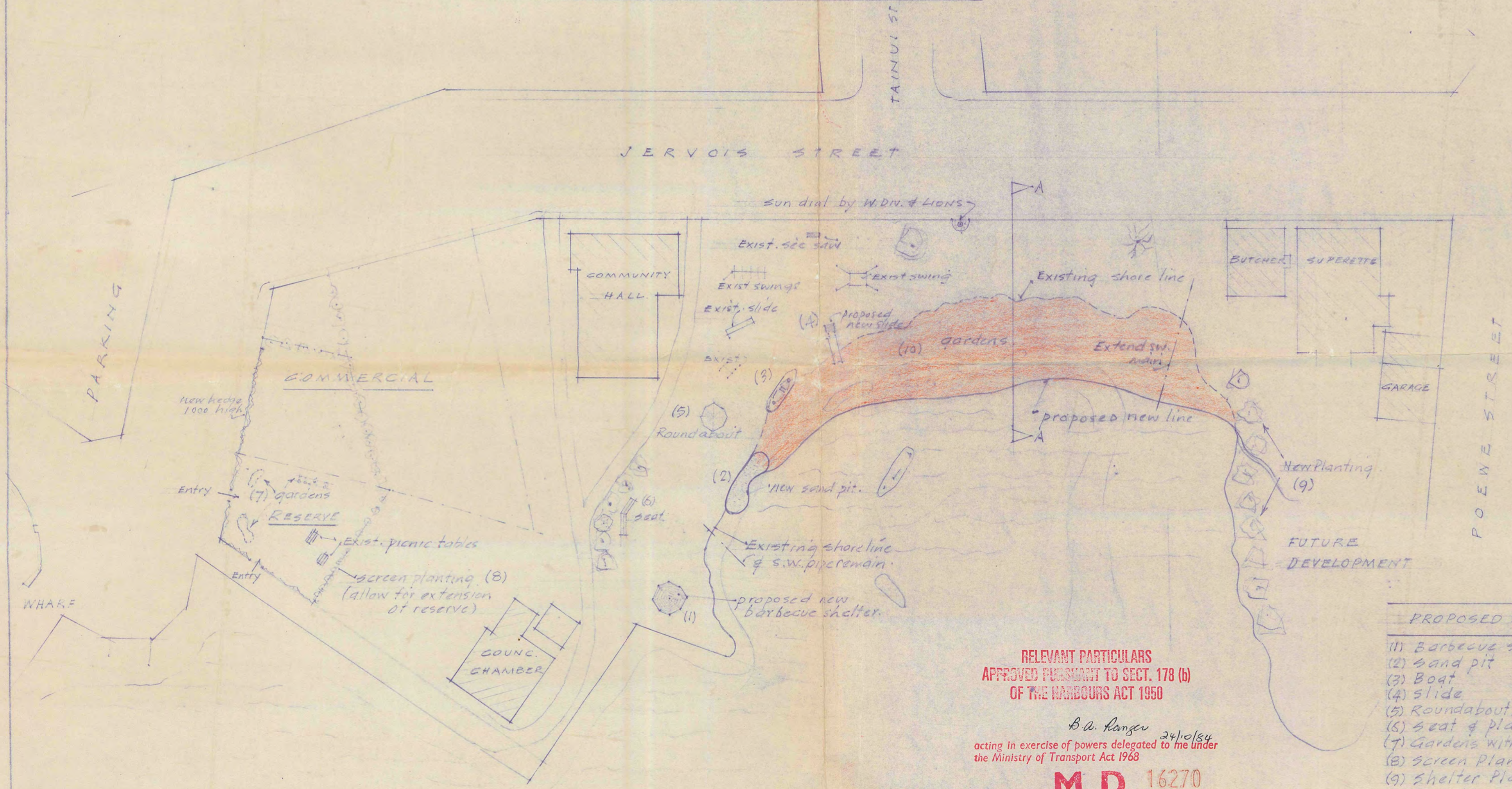
6177

SCALE 1:2500





TYPICAL CROSS SECTION SCALE 1:100



6178

RELEVANT PARTICULARS  
APPROVED PURSUANT TO SECT. 178 (b)  
OF THE HARBOURS ACT 1950

B.A. Ranger 24/10/84  
acting in exercise of powers delegated to me under  
the Ministry of Transport Act 1968

M.D. 16270  
SHEET (1) OF (1)

- PROPOSED NEW WORK
- (1) Barbecue shelter
  - (2) sand pit
  - (3) Boat
  - (4) slide
  - (5) Roundabout
  - (6) seat & planting
  - (7) Gardens with native plants
  - (8) screen planting
  - (9) Shelter Planting
  - (10) Gardens with native plants

SCALE 1:500 1:100

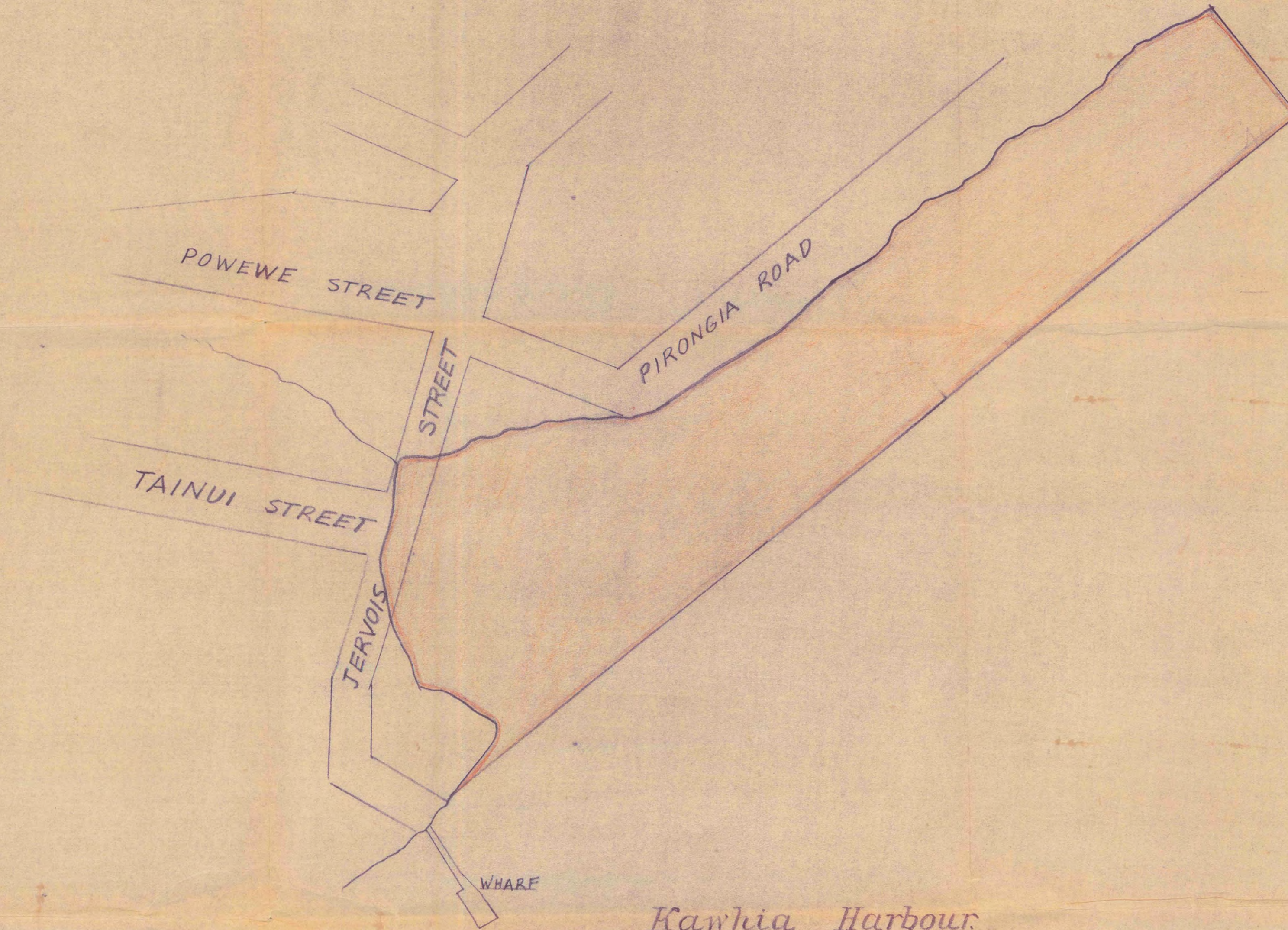
PROPOSED DEVELOPMENT OF FORESHORE AT KAWHIA  
FOR THE KAWHIA COMMUNITY

W.H. GRAY DIP. ARCH (AUCK)  
REGISTERED ARCHITECT

SEPT. 1983



300  
200  
150  
100  
50  
30  
10  
0  
mm  
12  
11  
10  
9  
8  
7  
6  
5  
4  
3  
2  
1  
0  
inches



Kawhia Harbour

6179

ORIGINAL SIZE

	Name	Date	Recommended	Amendments	By	Date
Surveyed						
Drawn						
Traced			Approved			
Designed						
Computations						
Quantities						

B.E. C.Eng. M.N.Z.I.E. M.I.C.E.  
COUNTY ENGINEER

KAWHIA HARBOUR  
PROPOSED RECLAMATION AREA

Original  
Scale: 2 CHAINS TO AN INCH

Field Book Ref. Level Book Ref. File / Dossier Ref.

SHEET No. OF SHEETS

Otorohanga  
County Council

PLAN No.

A2



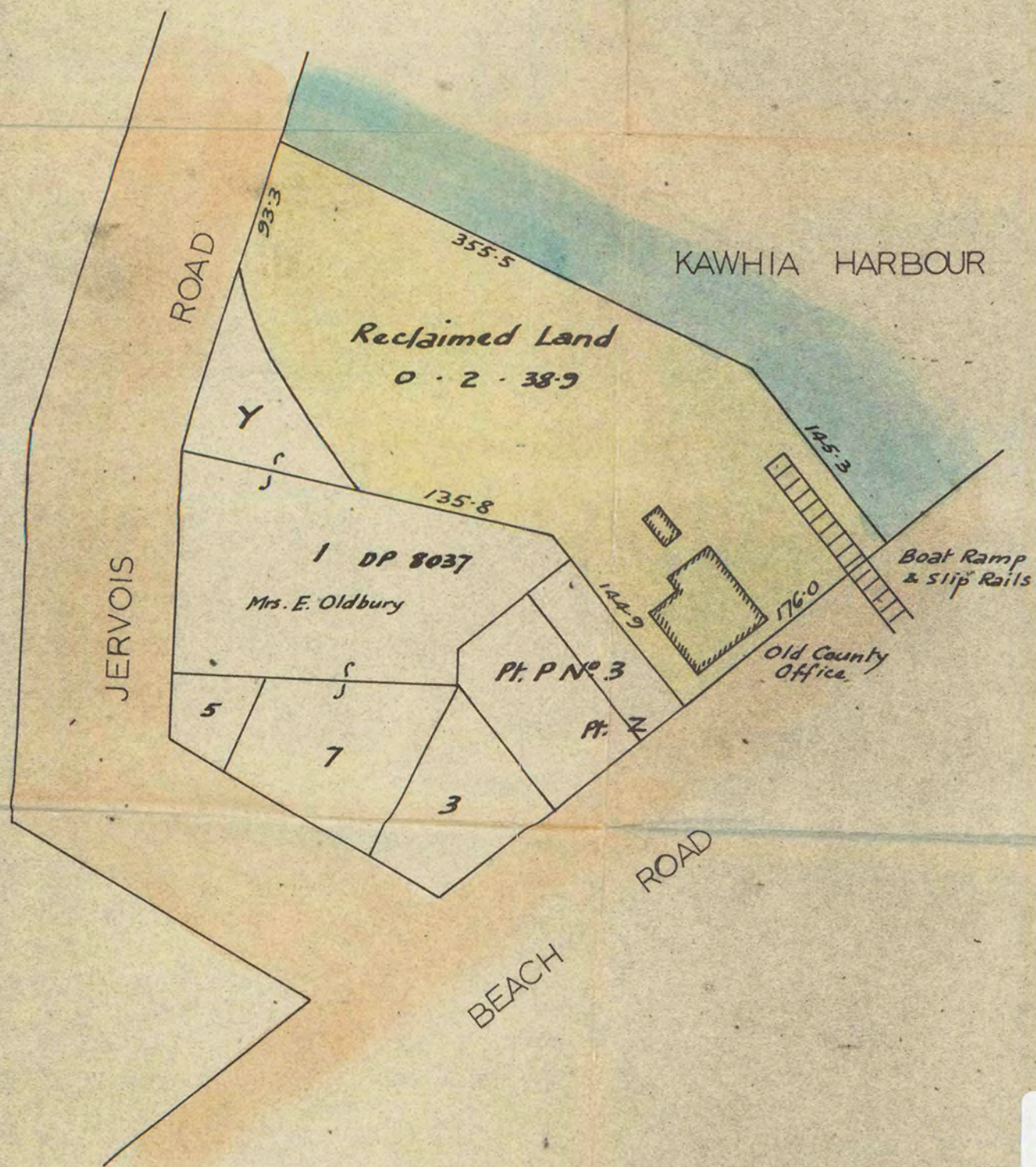
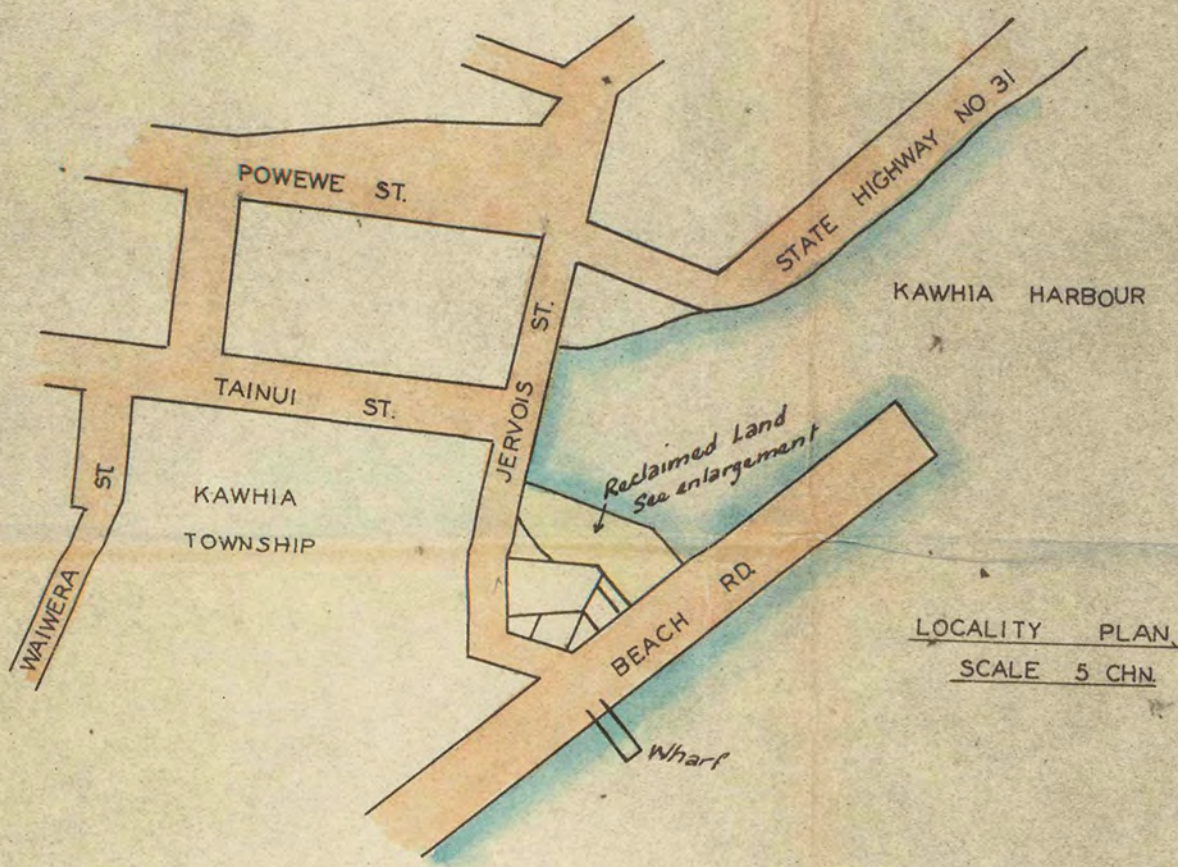


RECORD MAP  
OF  
TOWN OF KAWHIA  
& TE PURU & KAREWA  
NATIVE TOWNSHIPS

6194



4/237

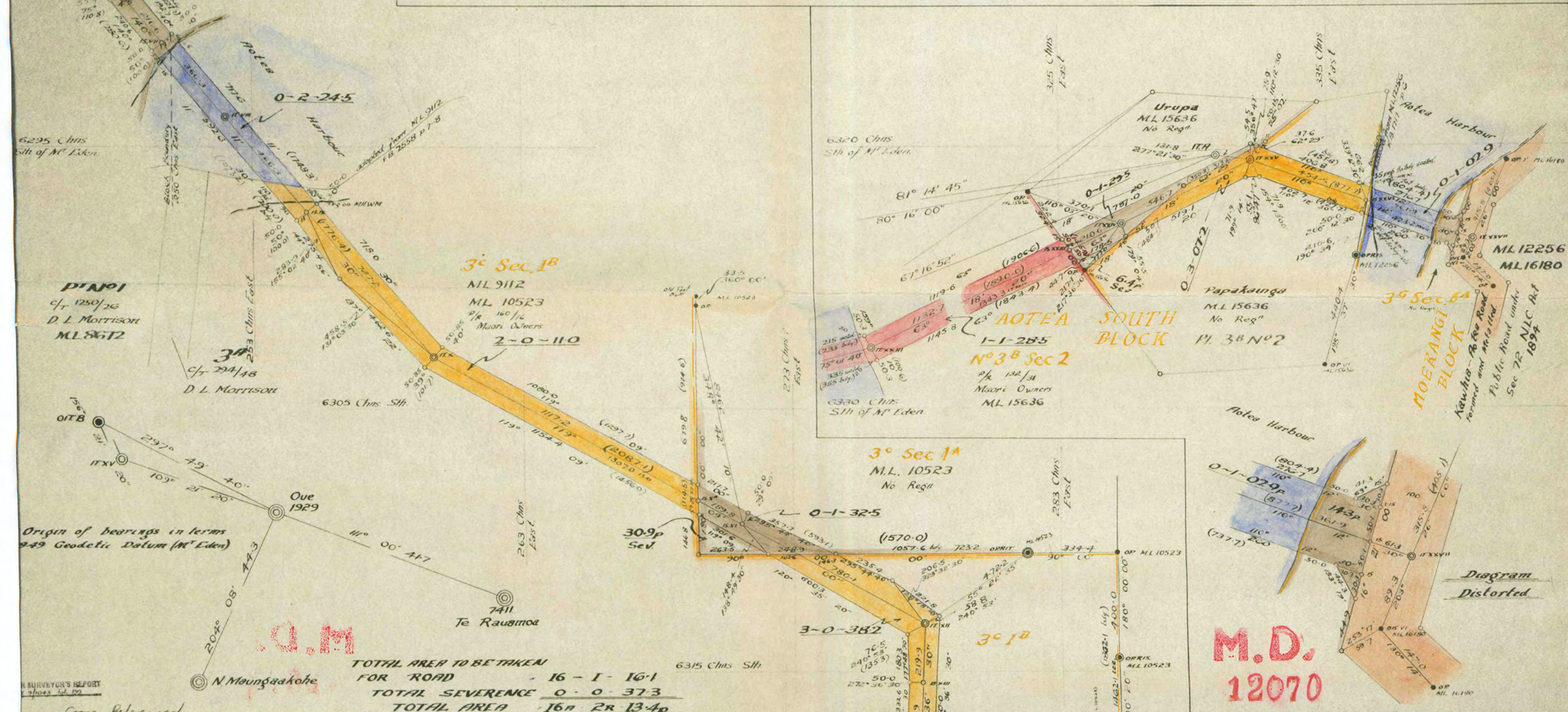
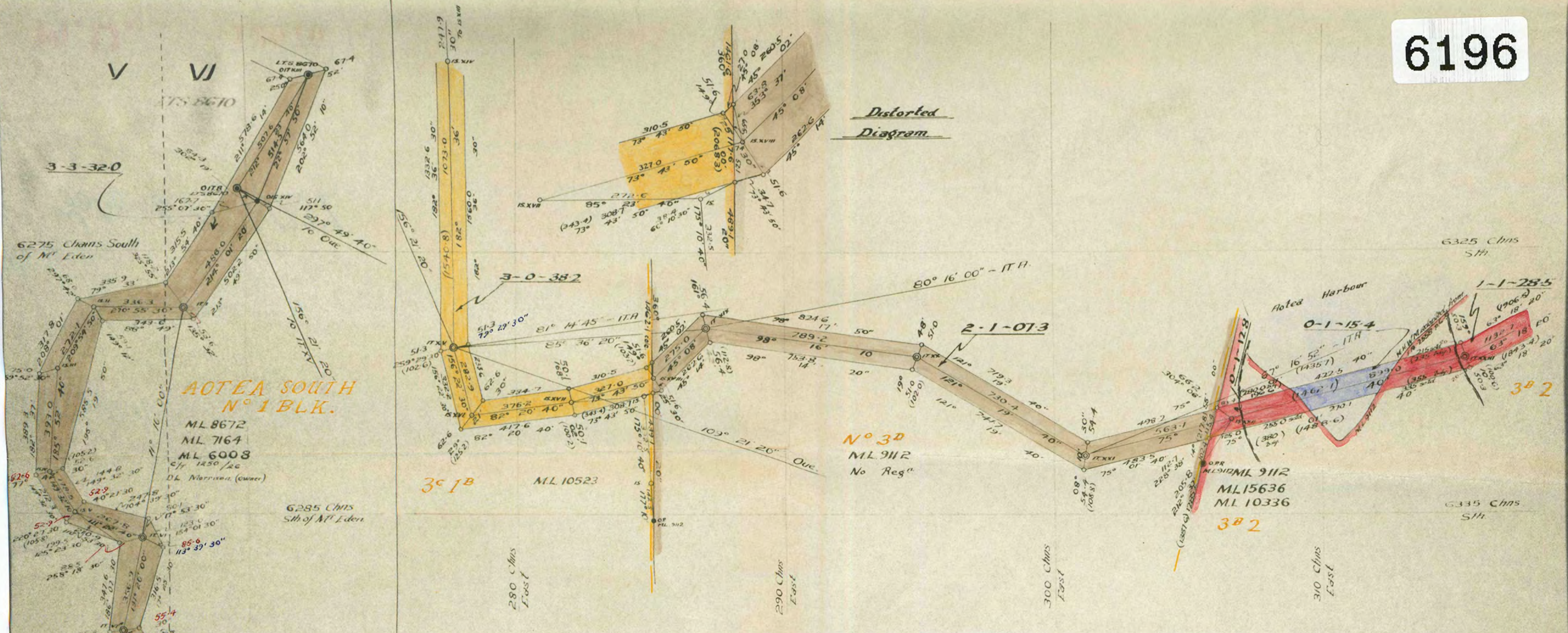


6195

PLAN OF  
RECLAIMED LAND - PT KAWHIA HARBOUR  
To be vested in Otorohanga County Council  
Prepared by GAGibbs Regd Surveyor July 1962  
Scale 1 chain to an inch

M.D. 11322





Received 2/10/43  
Instructions  
Reference Plans  
old book 5870 p 45-48  
reverse book 506 p 20-27  
examined by W. A. N.  
recorded  
in order for approval  
W. A. N. 28.2.1964

PLAN OF LAND TO BE TAKEN FOR ROAD THROUGH 1<sup>st</sup> MOERANGI 3<sup>rd</sup> 6<sup>th</sup> BLOCK, AOTEA SOUTH  
URUPA, PAPAKAHANGA, I, 3<sup>rd</sup> 2, 3<sup>rd</sup> 3<sup>rd</sup> 1<sup>st</sup> & 3<sup>rd</sup> 1<sup>st</sup> BLOCKS & P<sup>ts</sup> AOTEA HARBOUR

Survey Block & District BLKS V & VI KAWHIA NORTH SD.  
Land District SOUTH AUCKLAND Local Body OTIROHANGA COUNTY  
Scale 2 Chains to an Inch Surveyed By G. A. Gibbs Date June 1962  
I, G. A. Gibbs of Auckland Registered Surveyor and holder of an annual practicing certificate, hereby certify that this plan has been made from surveys  
executed by me; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act, 1938  
Dated at Auckland this 12 day of June 1962 Registered Surveyor

Approved  
Signed: D. B. HOPCROFT  
Chief Surveyor 11/3/64  
This space reserved for plan numbers.  
**41806**