

Waikato Header Sheet



11288

Box Name: EKMT-00026

Subject: 43/60/6 - Raglan Harbour - Land endowments, purchase and
reclamation - Raglan (1925-1988)



MINISTRY of TRANSPORT

AURORA HOUSE
62 THE TERRACE
WELLINGTON
NEW ZEALAND

P.O. BOX 3175, WELLINGTON
TELEPHONE : (04) 721 253
TELEX No.: NZ 31524
FAX: (04) 737 902
FAX: (04) 733 844 (CAD)

WHEN REPLYING
PLEASE QUOTE

43/60/6

11 July 1988

The Chief Surveyor
Department of Survey and Land Information
Private Bag
HAMILTON

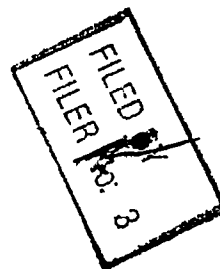
Attention: D M Quill

RAGLAN HARBOUR
YOUR REF: 3/2896

Your memorandum of 1 July 1988 refers.

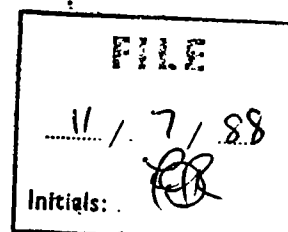
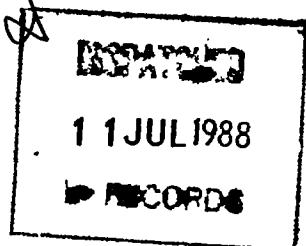
✓ Attached for your information is a copy of plan MD 1915,
which shows the boundary of Whaingaroa Harbour.

F D Ryan
for Secretary for Transport



✓ Encl

8352*/11G8/4711s



AAOHHM

43/60/6

54/3/2/2

Department of
Survey and Land Information



DOSUC2

Your reference:

District Office:

In reply quote: 3/2896

Postal Address:

Private Bag
HAMILTON

Telegrams: DOSLI

For verbal enquiries please ask for:

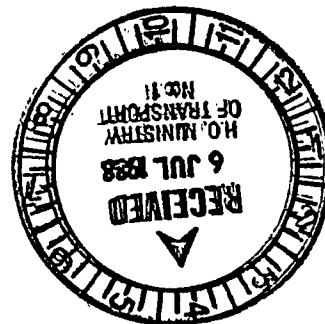
Telephone: (071) 82 489

Fax (071) 391 789

1 July 1988

~~The Regional Secretary~~
~~Ministry of Transport~~
~~Box 27-144~~
Upper Willis Street
WELLINGTON

ATTENTION: Regional Marine Officer



Dear Sir

RAGLAN (WHAINGAROA) HARBOUR

This office is in the process of examining a survey plan defining a portion of road to be stopped which fronts Aroaro Bay in Raglan Harbour. In order to determine the correct status of this bay and in whom its control is vested an accurate map of the harbour is required.

Plan MD 1915 mentioned in Gazette notice 1894 p.167 (copy enclosed) is apparently lodged in your office. Please send a copy of this plan so that the boundaries of the Whaingaroa Harbour may be determined.

Yours faithfully

D.M. Quill
For Chief Surveyor

Encl. 1 copy Gaz 1894 p.167

FEB. 1.]

THE NEW ZEALAND GA

1894 p 167

Declaring that Raglan County Council shall exercise the Powers of a Harbour Board in Whaingaroa Harbour.

Now, therefore, with the advice of the Council of the Colony of New South Wales, I do hereby appoint all the positions mentioned, except five and twelve, to be known as the

GLASGOW, Governór.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of January, 1894.

Present :

THE HONOURABLE THE PREMIER PRESIDING IN COUNCIL.

WHEREAS it is among other things provided by section 242 of "The Counties Act, 1886," that, in any place where there is no Harbour Board, the Governor, on the request of the Council of any county bordering on any estuary or arm of the sea, may, by Order in Council duly gazetted, declare that such Council shall, from a date to be fixed in such Order, exercise all the powers of a Harbour Board within such limits of such estuary or arm aforesaid as the Governor may define for that purpose :

And whereas the Council of the County of Raglan, which borders on the estuary or arm of the sea known as Whaingaroa Harbour, in the Provincial District of Auckland, has requested that it may be declared that it shall exercise all the powers of a Harbour Board within that estuary or arm of the sea :

And whereas it is desirable that such request should be acceded to, and that the limits of such estuary or arm of the sea should be defined as hereinafter appears:

Now, therefore, His Excellency the Governor of the Colony of New Zealand, in pursuance of the hereinbefore-recited power and authority, and by and with the advice and consent of the Executive Council of the said colony, doth hereby declare that, from and after the first day of March, one thousand eight hundred and ninety-four, the said Council shall exercise all the powers of a Harbour Board within the limits of the estuary or arm of the sea hereinafter set forth, and which said estuary or arm of the sea is called Whaingaroa Harbour.

. And in further pursuance and exercise of the hereinbefore-recited power and authority His Excellency, with the advice and consent aforesaid, doth hereby define the limits of the said estuary or arm of the sea within which the Council of the County of Raglan is to exercise the powers aforesaid as follows, that is to say:—

All that area in Raglan County bounded by a line commencing at the southern extremity of Rangitoto Point, at the line of ordinary high-water mark, and proceeding thence north-easterly generally along the line of high-water mark in Whaingaroa Harbour, as far as the northern extremity of Te Kikeri Inlet; thence in a generally southerly direction, following the high-water mark, to the Uru Landing on the Waitetuna River; thence generally westerly along the ordinary high-water mark of the Whaingaroa Harbour as far as a point where the boundary-line between Te Kopua Reserve and Section 15, Block I., Karioi (Pilot Station Reserve), intersects the line of high-water mark, and thence along a straight line to the starting-point at Rangitoto Point: the hereinbefore-mentioned line of high-water mark shall be deemed to cross the mouths of any rivers and streams that may flow into the Whaingaroa Harbour and inlets: as the same is delineated on the plan signed by the Governor, marked M.D. 1915, and deposited in the office of the Marine Department, at Wellington.

ALEX. WILLIS.

Clerk of the Executive Council.

*Powers delegated to the Hororata Domain Board under
"The Public Domains Act, 1881."*

(herein referred to as the "Agreement")
 tions hereinafter

1. The Board the first Monday of the month of Hororata, or at such time as may be fixed by the Board, to be held on Monday next, at eight hundred and

2. Special meetings may be called by any two members upon written notice of such meeting to be held for the business to be transacted, and no other business shall be transacted at such meeting.

3. Any three of the following may be

4. The member
and thereafter at

Monday in January elect one of them in discussion, and so vote. The Chair elect his successor.

5. If at any meeting appointed for the purpose, the members shall choose some person to preside at such meeting.

6. If, by resigning the office of Chairman, the members may at any time elect a new Chairman.

7. All questions
votes of the memt

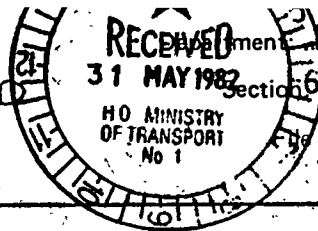
Land in Canterbury

IN pursuance and conferred upon me in that behalf of the Colony of New South Wales and after the day enumerated in the withdrawn from sale

CANTERBURY LAND

MINUTE SHEET

Subject: RAGLAN HARBOUR BOARD
RECLAMATION
PURIRI STREET



M.O.T. Auckland.
Harbours, Freshwaters
File No. 54/4 folio 28
Date: 28.5.82.

49918A-150 pads/7/80 MK

To-

Head Office
S.E.O (HBRs)

Attention:
Miss Vitali

Your Reference 43/60/6

Further to your minute of 3.3.82 concerning
the above.

We have inspected the work carried out by the
Raglan County Council, and discussed the matter
with them.

This work does not extend below Mean High Water
mark and no further action will be required.

Landy Erierson

For Reg. Secretary for Transport.

MINUTE SHEET

Department: M.O.T. H/O

Subject: RAGLAN HARBOUR BOARD

Section: Harbours

RECLAMATION

File No. 42/60/6

PURIRI STREET

Date: 9.3.82

49918A-150 pads/7/80.MK

To-

Your ref: 54/4 folio 28. I refer to my minute of 14.12.81.

Would you please advise if you have discussed the above matter with the Harbour Board, or if you have any further information.

Regional Sec
M.O.T.
Auckland

Attention:
P. Spackman

Union Will
for Sec for Transport.

DISPATCHED
- 8 MAR 1982
BY RECORDS

FIVE
21/6/82
Initials: W

BRING UP
21/6/82
Initials: W

MINUTE SHEET

Department: M.O.T. H/O.Subject: RAGLAN HARBOUR BOARD
RECLAMATION
PURIRI STREETSection: HarboursFile No. 43/60/6Date: 14.12.81

49918A-150 pads/7/80 MK

To-

Regional
Secretary
M.O.T. ✓
Auckland

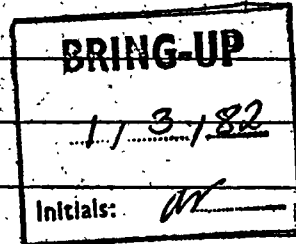
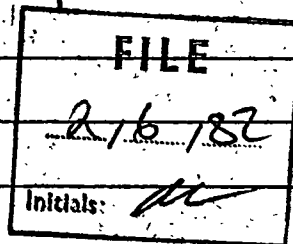
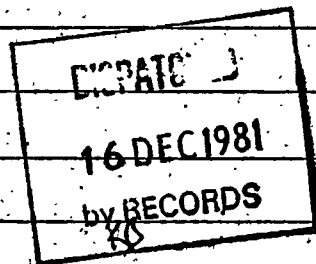
Your reference 54/4 fol 28.

Further to our minute of 23 November 1981, attached is a copy of the reply from the Raglan Hbr Brd.

They do not appear to understand the situation and you may like to visit the Board to discuss the matter.

Attention:

P. Spackman

Anian Vitali
for Secretary for Transport.

✓ Encl.

RAGLAN HARBOUR BOARD

SECRETARY:
N. R. TYLER,
B.COM., A.R.A.N.Z., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

Our Ref.: R 2/20/2

Your Ref.: 43/60/6

3 December 1981

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



Dear Sir,

Reclamation - Puriri Street

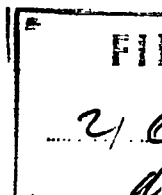
I acknowledge your letter of 23 November 1981 and advise that as the work is above the range of the tidal line, the application will not be proceeded with.

Yours faithfully,

A handwritten signature in dark ink, appearing to read "R.B. Murray". The signature is fluid and cursive, with a long, sweeping underline.

R.B. Murray,
COUNTY ENGINEER.

RBM:LC



43/60/6

23 November 1981

The Engineer
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

RECLAMATION : PURIRI STREET

I refer to your letter of 16 September 1981 which has been referred to this office for reply.

The area of reclamation will require authorisation in terms of section 175(3) and 178(b) of the Harbours Act 1950 and therefore it will be necessary that the procedures as set out in section 175A be complied with. For your information and guidance, I enclose a booklet entitled "A Guide to Reclamation Procedures" which gives details as to the requirements to be met.

When the information, plans and environmental documentation has been prepared, these should be forwarded to the Ministry for further action.

Yours faithfully

T.E. Law
for Secretary for Transport

Encl.

Regional Secretary
Ministry of Transport
Private Bag
AUCKLAND

Attention: P.D. Spackman

Copy for your information. Your reference 54/4 fol.28

T.E. Law
for Secretary for Transport

23/11/82
51-

DISPATCHED
27 NOV 1981
by RECORDS

FILE
46,82
Initials: an

MINUTE SHEET HX F.

Department: NOT 43/60/F

Subject: RAGLAN HBR BOARD
RECLAMATION
RURIRI STREET

File No. 54/4 10/28

Date: 2.10.81

To—

Head Office
 Sec (Hbrs)

Sec (H & F)

Earlier paper
 on file relate
 to area inside
 flood gate that
 appear to be
 outside gate
 + subject to
 proper reclama-
 tion procedure

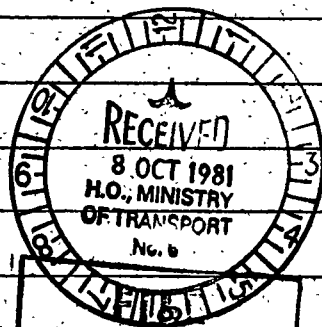
Please find enclosed drawings and copy of letter.

Would you please advise the Raglan Harbour Board

An inspection will be carried out when possible.

Brian Vitoli
 For Reg Sec Transport

Encl.



216/82
 Initials: av

RAGLAN HARBOUR BOARD

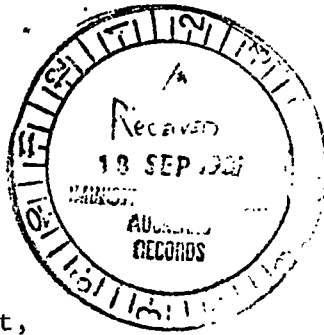
SECRETARY:

R. G. BROWNLEE

P.O. BOX 1
NGARUAWAHIA

(25)
TELEPHONE 0333
NGARUAWAHIA
HARBOUR AGENT
8736 RAGLAN

Our Ref.: R 2/20



16 September 1981

Regional Secretary for Transport,
Marine Division,
Ministry of Transport,
Private Bag,
AUCKLAND.

Dear Sir,

Reclamation - Puriri Street

The Board has received an approach from the Raglan Lions Club to allow the development of an area at the junction of Wallis Street (S.H. 23) and Puriri Street for public recreation purposes, including filling and culverting, grassing, erection of picnic tables, etc, and a facility for the launching of small sailboats..

The work is shown on our Drawing No. 2954 (copies enclosed) and is based on the reclamation of an area of land of some 800m² area, which dries at early stages of the ebb tide. It will thus need approval from your office.

Application is thus made for approval to carry out the work in accordance with the Drawing. Kindly advise whether any further information is required.

Yours faithfully,

R.B. Murray,
ENGINEER.

RBM:LC

FILE
21.6.82
Initials: <i>W</i>

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

6349

3/2/8 8

RAGLAN HARBOUR BOARD

N. R. TYLER
SECRETARY

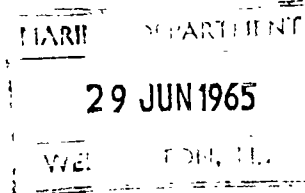
P. O. BOX 1
NGARUAWAHIA

HARBOUR BOARD OFFICE
PHONE 8633, NGARUAWAHIA

R 2/20/2 43/68/6

25 June 1965

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



Dear Sir,

ENDOWMENTS AND OTHER AREAS

In reply to your M 3/2/8 of 17 June 1965 regarding the above, I have to advise that the following lands are under the control of the Raglan Harbour Board:

a) Endowment Lands:

- 1) Sections 2-14 Raglan Town shown coloured green on the map of Raglan Town District as supplied by you. You will be aware that the Town District of Raglan was abolished many years ago and was added to the Raglan County. No record is held in this office as far as can be ascertained of the instrument by which this area of land was vested in my Board.
- 2) Allotment 15 - Karioi Parish - Pilot & Signal Station Reserve. This land is vested in the Raglan County Council and at present is being purchased by the Council from the Crown. It will thus pass entirely out of the control of the Harbour Board shortly. The sale of this land to the County Council has been authorised by the Minister of Lands as it was discovered that the land is actually Crown land and not held in fee simple by the Raglan County Council as was originally supposed. It has never been a Harbour Board Endowment.
- 3) Landing Reserve - Part 62B No. 13, Waipa Parish: See Gazette 1910 at page 897.

b) Foreshores Controlled by Local Bodies:

- 1) Inner Harbour. The parts of the foreshore to Raglan, the control of which is vested in the Harbour Board, have been added to the map supplied by you. A full description will be found in N.Z. Gazette of 7 November 1957 No. 85 at page 2114.

7

2.

- 2) Harbour Entrance to Whale Bay. The control of this section of foreshore is described in N.Z. Gazette of 7 November 1963 No. 73 at page 1803. This also has been indicated on the map supplied by you.

I trust this is the information required.

Yours faithfully,



N.R. Tyler,
Secretary.

NRT:MP

KRP:MJP

M42/60/6 and
M54/3/138

22 April 1969

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

ENDOWMENT FORESHORE - PORT WAIKATO HARBOUR BOARD

I refer to your letter P2/6 of 17 December 1968 and wish to inform you that at the time of the dissolution of the Port Waikato Harbour Board there was, to my knowledge, no foreshore under the control of that Board nor any land vested in the Board for harbour purposes.

The Port Waikato wharf is on foreshore under the control of this department and is subject to the terms and conditions of a licence granted to the Roose Shipping Co. Ltd.

If you have any further query please do not hesitate to write to me.

Yours faithfully,

R.N. KERR
Secretary for Marine

per:

(K.R. Parsons)

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

Copy for your information.
1968 refers.

Your 13/1/60 of 27 August

R.N. KERR
Secretary for Marine

per:

(K.R. Parsons)

File

KRP/DJN

M3/2/8

Ext. 47

17 June 1965

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

ENDOWMENTS AND OTHER AREAS.

I am attaching two maps of Raglan Harbour on which the endowment lands of your Board are marked.

It is my intention to establish a control map series, one inch to the mile, of coastal New Zealand showing (a) endowment lands (b) foreshores controlled by local bodies and (c) waters controlled by local bodies. This will provide a ready reference that will preserve from day to day handling the larger scale original and consequently more valuable maps and plans held by this Department.

Would you kindly verify the foreshores and other endowments shown on the attached maps, make any additions or alterations as are necessary and quote the instruments by which the lands were vested in your Board.

Should (Would) you consider it necessary to obtain additional Lands and Survey maps, their cost will be reimbursed if you raise an account on this office. Your assistance with this project will be greatly appreciated.

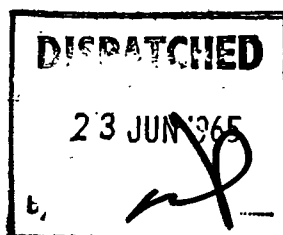
Yours faithfully,

REGISTERED
BY 



for G. L. O'Halloran
Secretary for Marine

Enc.



M.3 | 2 | 8
PO'D

22/1648

4

27 May 1958



The Secretary,
Raglan Harbour Board,
Box 1,
NGARUAWAHIA.

ENDOWMENT LANDS

Your letter of 12 May 1958 to the Secretary for Marine has been forwarded to me for Reply.

Lots 1-5 of Section 11 of Raglan were by an Order in Council published in New Zealand Gazette of 19 March 1891 page 366 vested in the Raglan County Council, in trust, for an endowment for wharf and harbour purposes.

I trust this information will satisfy your enquiry.

[Signature] Deputy Director General.

The Secretary for Marine,
WELLINGTON.

For your information- your file ³5/2/8.

[Signature]
Deputy Director General.
27.5.58

Our: 43/60/6
Your: WIL 22/6/7

28 November 1978

The Secretary for Internal Affairs
Wildlife Service
Department of Internal Affairs
Private Bag
WELLINGTON

Attention: Miss Kathy West

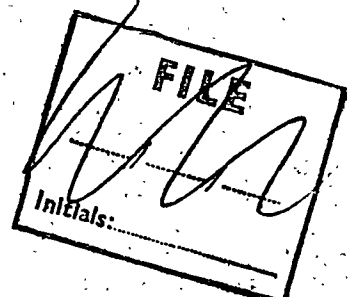
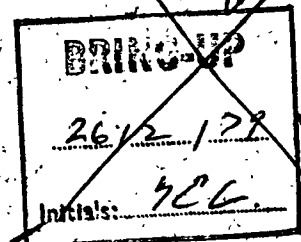
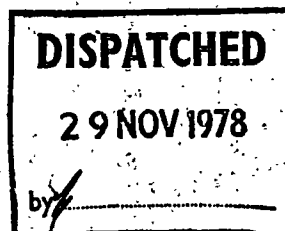
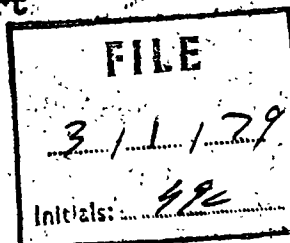
ARO ARO CREEK : RAGLAN

I refer to my memorandum of 29 August and to your interim reply of 12 September 1978.

I would be grateful to receive your views on the value of the area of Aro Aro Creek which has had its environment altered due to the existence of a causeway road across the creek. We would be grateful to receive your views on the proposed action as detailed in paragraph 4 of my memorandum of the above date.

With your report would you please return the photographs which I forwarded to you with my memorandum of 29 August.

YEC.
T.E. Law
for Secretary for Transport





194H

-8.8.77









































CCMP/SL 12/12

SEOH

Causeway / Floodgate - Raglan

1. There has been in existence for many years a causeway with floodgate across the Aro Aro Creek.
2. In time this has resulted in a permanent reclamation on which is situated a playing field & club house.
3. The balance of the area is dry by reason of the floodgate, but could be re-established by removing the gate.
4. Local acceptance and the views of Wildlife Dev, Internal Affairs, point to leaving the situation "as is".
5. I agree with that feeling and although not legal would prefer this course of action rather than formally declaring a reclamation and thereby allowing the Raglan C/c to do what it likes.
- 6/ I would prefer to see applied the concept that if someone wants to put fill in and put up a building, then an OaC be issued (vide prev. papers) & to leave the floodgate as a "water control structure" for want of a

→ File all papers JS
18/12

2
better term.

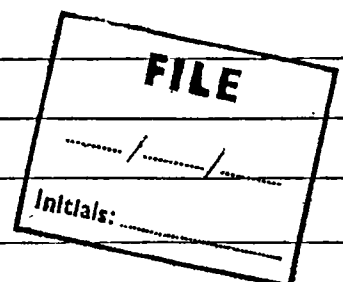
Rec.^s.

(1) That no further action be taken at this stage but if "land" is sought we treat as reclamation

(2) That we look at this situation in the review of the H-Act.

[Signature]
- 12/12/78

approved
[Signature]
ccmp 12/12



H.F

43/60/6

Please Quote



WILDLIFE SERVICE
DEPARTMENT OF INTERNAL AFFAIRS

WIL 22/6/7

Private Bag, Wellington, N.Z.

Telephone 738-699

Telegrams and Cables 'Internal'

1 December 1978

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



ARO ARO CREEK : RAGLAN

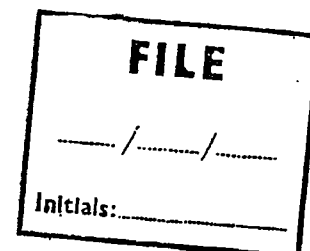
I refer to your memo of 29 August, your reference 43/60/6.

The area was inspected by a Wildlife Officer who reports that the area has very low wildlife value, and he recommended that we should not oppose any outright reclamation of the land.

In view of the recommendation, he did not make comment on the tidal influence if the control system was removed.

He did, however, draw attention to the possible contamination that might arise from a sewer line if this part of the area was reverted to tidal influence.

We agree that on wildlife grounds, there is no need to oppose reclamation, but as the energy contribution from marginal vegetation is well known, this factor should be considered. It has been noted in Tauranga Harbour (your file 43/13/6) that full estuarine conditions can be restored. The time taken depends on a variety of factors, probably the most important being the extent of tidal inundation and the nature of any obstructions to the tidal flow. Estuarine plant and animal life can return fairly quickly where full and uninterrupted flow exist. Another limiting factor can be runoff or discharges from adjoining lands. Where these occur in parts of Manakau Harbour, flora and fauna can be quite different to those of unaffected areas.

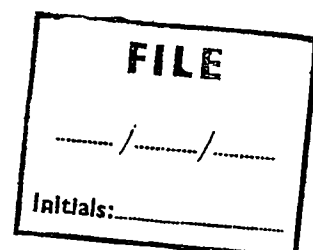


2.

These are what we see as being the principal factors to consider in assessing the likelihood of restoration of a tidal influence at Aro Aro Creek.

Kathy West

(Kathy West, Miss)
for Secretary for Internal Affairs

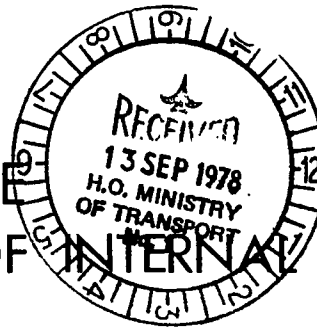


H x f

43/60/6



WILDLIFE SERVICE
DEPARTMENT OF INTERNAL AFFAIRS



Please Quote

WIL 22/6/7

Private Bag, Wellington, N.Z.

Telephone 738-699

Telegrams and Cables 'Internal'

12 September 1978

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

ARO ARO CREEK: RAGLAN

Thank you for your memo of 29 August, your reference 43/60/6,
concerning the above.

We have asked our Auckland officer to provide a report on the
area, and we will write to you again once this report has been
received.

Kathy West

(Kathy West, Miss)
for Secretary for Internal Affairs

*done so by
phone 15/9/78*

- SP*
- (1) Best let her know
we referred earlier to L78
on request to reclaim. Only 842.
Then file used then was 22/1678
- (2) Could you take these over please.
Objectives as stated in my
letter. *DB* 14/9.

BRING-UP
22/11/78
Initials: <i>SP</i>

43/60/6

29 August 1978

The Secretary
Department of Internal Affairs
Private Bag
WELLINGTON

Attention : Mr G. Adams

ARO ARO CREEK : RAGLAN

1. Attached is a copy of a report from our Auckland Office together with photographs which I would like returned.
2. In referring this matter to you we are seeking your views on the value of the area which has now largely had its environment altered. The Causeway road across the creek has had a flood-gate in operation for very many years.
3. Our view is that as the free ebb and flow of the tide has been prevented the area is effectively "under reclamation" and no authority exists in that respect.
4. There are options available:
 - (a) Have the area officially granted for reclamation and to let the present circumstances officially exist which will lead to the ultimate complete drying out of the area except for the Creek waters.
 - (b) Have the flood-gate removed and allow the tidal influence to recommence.
5. It may be that local acceptance of the present area could determine suggestion (a) as being the acceptable proposition. If however you consider that there are very valid reasons why the tidal action should not be restricted, we would appreciate your views and comment on the time it might take for the area to re-establish itself as a tidal area.
6. It was a request, not so far proceeded with, for a small portion of that area to be used for pensioner housing (Order of St. Lazarus) which drew this matter to our attention but otherwise there have been no issues raised "for or against" the present state of the Creek.

O.J. Conway
for Secretary for Transport

DISPATCHED

01 SEP 1978

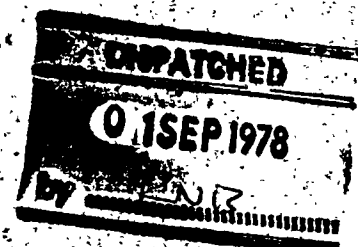
by KND

B4U-25/10/78. A
cancel →

✓ Regional Marine Officer
AUCKLAND

For your information. Thank you very much for your report and photographs which you forwarded under your file reference 50/54/4 on 7 August 1978.

O.J. Conway
for Secretary for Transport



ROSP.

PAT

1/ Referred to your comment because of your knowledge of these types of lands.

2/ Would you mind letting me have views on these two essential issues

(a) Should we have the floodgate removed & allow the tidal influence to return

(b) Leave the floodgate & allow the area to continue to dry out & eventually disposed (Land Act) as Crown land.

3/ This situation is obviously of long standing and apart from the physical change to the land, the area has been accepted by the community for its use in one way or another.

Mr Conway. (Photos were v. informative)

OSE

16/8/78

There are times when areas should be filled in to tidy them up and make them useful and this could be one of them. If you have any doubts I would suggest that Wildlife would be in the best position to talk about its value as a predator salt marsh. Do we ~~also~~ have to go through the H. Act. if it was reclaimed so long ago even if only by a stopbank? Pat McConno. 17/8

MINUTE SHEET

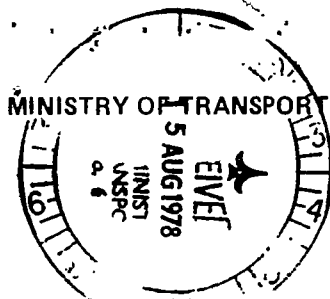
Subject:

Department:

File No.

Date:

To—



H. F.

43/60/6
MOT 5

Our Ref.: 54/4

Your Ref.: 43/60/6

INTERNAL MEMORANDUM

To: HEAD OFFICE From: Regional Office, AUCKLAND
Attn: Mr O.J. Conway Date: 7 August 1978
Subject: RAGLAN : CAUSEWAY RECLAMATION : ARO ARO CREEK

On 2 August 1978 an inspection was made of the causeway across the Aro Aro Creek and the adjoining area.

The inspection was divided into three sections:-

1. The Causeway and floodgate.
2. The accreted area directly behind the causeway.
3. The public reserve and football field adjoining the accreted area.

The causeway is located a short distance away from the main street of Raglan. A sealed road runs along on top of the causeway and a metalled road runs down the right hand side of the adjoining areas. The left hand side of the accreted area is bound by a steep wooded bank. Farmland adjoins the football field and reserve.

1. Causeway

The causeway looks like it has been in place for some years. A well constructed steel floodgate is located at ground level in a concrete surround. At high water it would appear to be completely covered by the tide. The gate which measures about 20" in diameter looks to be still operable.

2. Accreted Area

This area is directly behind the causeway. It would measure approximately 400 yards long by 300 yards wide. Wet swamp covers much of the area especially down both sides, but in the centre and far end by the football field, the ground has accreted to form a dry firm sandy base. Vehicles have driven over this accreted land and in fact, it would appear to be used as a parking area for the sports ground.

The swamp to the left of the area has been drained by a three foot deep drain excavated across the end by the football field then down the length of the swamp area, draining out to the floodgate.

No mangroves are growing in this area behind the causeway, all the swamp being covered by thick rushes and swampgrass. It would appear by the dead nature of the grass that it had been sprayed sometime in the past. No bird or wildlife was observed in this area in fact it had a look of neglect and desolation.

Cont... /2...

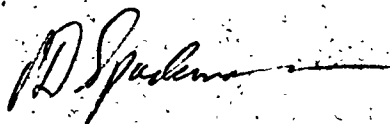
3. Reclaimed and levelled reserve

Immediately adjoining the accreted area but separated by a drain is a grassed and levelled reserve. This contains two football fields and an area of grass around the outside. Dressing sheds and a training shed have been built at the end where it adjoins the accreted area. This would appear to be a well looked after amenity enjoyed by the local population.

Conclusions

If the floodgate is left closed and the area kept as it is now, it would only be a matter of time before the whole area accreted over. It would also be very susceptible to unauthorised tipping. If the Council has definite plans for this area, it would be better to reclaim the land and tidy it up now, rather than wait for accretion to occur.

If the floodgate was opened and the flow of seawater resumed, it would probably restore the plant life in time. I very much doubt that the football field would flood or the centre accreted area. The flooding of sea water would probably only cover the areas already in swamp. The accreted area used as car park would also probably remain unaffected.



P.D. Spackman
Foreshores Advisory Officer

43/60/6

23 June 1978

Director-General
Department of Lands & Survey
Private Bag
WELLINGTON

RAGLAN : CAUSEWAY RECLAMATION
YOUR REFERENCE : 22/1678

I refer to your memorandum of 5 April 1978 in which you discuss the views expressed about the extent of land accreted in the Aro Aro Creek at Raglan and this Ministry's views.

As you are aware our attitude towards reclamations is now fairly clear in that those seeking authority to reclaim must be prepared to substantiate the need and so forth. Bearing this in mind the correspondence of some five or six years ago will be affected by this attitude but I do agree that technically any obstruction such as a floodgate which stops the free ebb and flow of the tide creates a reclamation situation. However this is a situation which can be corrected by the simple expedient of removing the floodgate.

To update the situation I therefore confirm that:-

- (1) The area shown hatched green, on the plan under discussion, can be regarded as Crown land available for disposal.
- (2) That the balance of the area behind the causeway is not reclaimed and therefore not available for disposal. (This is because the floodgate can be removed, a matter yet to be considered because I now understand the football field etc; i.e. the "green" area would NOT be flooded by such action).
- (3) That if the Council or anyone else, for example the Order of Saint Lazarus, wants to reclaim the area an Order-in-Council would need to be sought pursuant to the provisions of Section 175 of the Harbours Act 1950.

DISPATCHED
27 JUN 1978
by

B/C 1/9/78 X
reft x RMO Auckland

In discussion with Mr Hill, who represents the Order, I told him that if reclamation is sought for a small portion for pensioner housing the Council will no doubt be interested in a total reclamation. No doubt he will enter into discussion and consult other agencies such as Wildlife Division of Internal Affairs and Agriculture and Fisheries.

As a point of interest I understand from him that the area has degraded from its full marine environment and if the floodgate, which is possibly not fully effective, remains then eventually the whole area would become land.

I propose to put my file under bring up for six months when I will seek further advice from the Council about opening the floodgate, unless of course further interest in reclamation is received.

O.J. Conway
for Secretary for Transport

Regional Marine Officer
Private Bag
AUCKLAND

For your information. On your next visit into this area could you report on the floodgate in the causeway across the Aro Aro Creek and also the condition of the land behind. We have not written before on this subject. A copy of the plan referred to in the memorandum to Lands & Survey is attached.

O.J. Conway
for Secretary for Transport

Encl.

DISPATCHED

27 JUN 1964

by



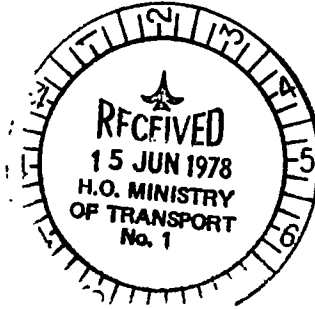
Department of Lands & Survey

TELEGRAPHIC ADDRESS: "HEADLANDS" TELEPHONE 735022

FILE HELD BY

H & F

OUR REFERENCE: 22/1678
 YOUR REFERENCE: 43/60/6
 FOR VERBAL INQUIRIES
 PLEASE ASK FOR:



HEAD OFFICE,
 PRIVATE BAG,
 CHARLES FERGUSON BUILDING,
 WELLINGTON I.

13 June 1978

The Director
 Marine Division
 Ministry of Transport
 Private Bag
 WELLINGTON

CAUSEWAY RECLAMATION - ARO ARO CREEK RAGLAN

I refer to my memorandum dated 5 April 1978.

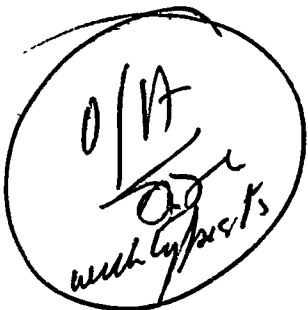
Would you please let me know whether in your opinion this land is subject to the Harbours Act 1950 or may be dealt with as Crown land subject to the Land Act 1948. If subject to the Harbours Act please then advise how this area could be incorporated into the Raglan Domain.

N S Coad
 Director General

Per

R. Coad

*Force
 who has this file?*





Department of Lands & Survey

TELEGRAPHIC ADDRESS: "HEADLANDS" TELEPHONE 735 022

OUR REFERENCE: 22/1678
YOUR REFERENCE: 43/60/6
FOR VERBAL INQUIRIES
PLEASE ASK FOR:

HEAD OFFICE,
PRIVATE BAG,
CHARLES FERGUSON BUILDING,
WELLINGTON I.



5 April 1978

The Director
Marine Division
Ministry of Transport
Private Bag
WELLINGTON

CAUSEWAY RECLAMATION: ARO ARO CREEK RAGLAN

In 1973, the Raglan Harbour Board approached you with an application to purchase all of the land bordered red and shown as A and B on the attached plan. At that time, after investigating the application, you determined that technically this "land" had been reclaimed illegally, apparently when the causeway and floodgate were constructed in the 1880's and that to now comply with the Harbours Act 1950 either the floodgate would need to be removed or special legislation passed to validate the reclamation.

The Commissioner of Crown Lands Hamilton had previously reported to you that the physical nature of area "A" was in two parts. The area hatched green on the plan was above mean high water mark and had been for at least 28 years. It was currently being utilized as playing fields in conjunction with the adjoining Raglan Domain and should, in the Commissioner's opinion, be dealt with as crown land under the provisions of the Land Act 1948 and ideally perhaps added to the Domain. The balance of area "A" was generally below mean high water mark and therefore subject to the Harbours Act 1950. Over the years vegetation had appeared but a lot of fill and further drainage would be necessary before this balance area could be claimed to be above mean high water mark. The Commissioner further stated that to establish the exact boundary between these two portions of area it would require a survey.

After considering all these facts it was your opinion that as the removal of the floodgate would be inadvisable (the football field would be flooded) the entire area should be regarded as crown land and more appropriately dealt with under the provisions of the Land Act 1948. - Your memo of 8 October 1973. You further determined that in the circumstances a survey to establish exactly what land behind the causeway was above or below mean high water mark was not necessary. I subsequently agreed to this approach on 15 February 1974 and the Minister of Lands on 19 August 1974 approved of the area hatched green being appropriately reserved and incorporated into the Raglan Domain. This approval was subject to the area being surveyed. No further action has ever been taken to dispose of the balance portion of area "A".

In 1977 Mr D W Arter, a representative from the Order of St Lazarus wrote to you with a proposal to use part of area "A" for pensioner housing purposes. In your reply to Mr Arter, a copy of which was forwarded to me for my information, you stated that only the hatched area was crown land, it having become reclaimed or dry land by natural means. The balance of area A was not "dry" and therefore still subject to the Harbours Act 1950. Mr Arter had not indicated clearly exactly which

land he was interested in and depending on the status of the area either your ministry or this department would be involved. As it turned out the land in question was part of the hatched green area and steps are currently being taken by this department to investigate the Order's request. The status and future use of the balance of area A appears again to be in doubt as it appears as though you do not now agree with your earlier view reached in 1973 that the whole area can be regarded as Crown land.

The Raglan Domain Board has also now expressed its desire to have the balance area incorporated into the domain and in view of your change in attitude towards the status of the area I would be pleased if you could reconsider the matter and let me have your further views. If you still maintain that the land is subject to the Harbours Act could you please indicate what would be the simplest and most expedient way of adding the land to the Raglan Domain.

N S Coad
Director General

Per: 

Make for file.

13/6/73

(1) reserved G. Boegs (LDS); Conway (MOT)
Mr Hill

(2) Issue was resolved. RT land involved was
RT designated as disposable under land Act
(area green)

(3) That altho it was tentatively reserved as Mowman
not yet there and as County seems agreeable
all time to delete portion of the Crown lease
to the Order for persons flats

(4) Mr Hill to continue discussions with LDS
at Hamilton

all actions now with LDS.
No further Marni Involvement
DS

15/6/71

The other papers referred to back in 1972
re area for car parking, it was the balance of
the area behind the causeway & was only
a "pipe dream"

Conway

BSU 11/11/77 (re causeway)

FILE

16/11/77

Initials:

(5) DS

ED BY

FILE NO. 2

MINUTE SHEET

Department:

Subject:

File No.

43/60/60

Date:

8/6/77

To—

L. J. HILL ESQ.,
Tel 84 929
Hamilton

Message from Conway pleased to confirm
~~Monday~~ 13 June 10:30 stop Will have
representative from Lands & Survey present
stop Location of office is Aurora House
on the Terrace in ~~my~~ room 1209 on
twelfth floor.

Secretary for Transport.

Sent
9:15 am
8/6/77

FILE HELD BY
S.E.O. HBRS.

SEO/Hhrs

43/60/6

Parliament House,
Wellington

31 May 1977

Mr. O. J. Conway,
C/- Ministry of Transport
Private Bag,
WELLINGTON.

Dear Mr. Conway,

You are I believe engaged in correspondence with a constituent, Mr. Doug Arter, of Raglan, regarding the use of an area which is called the Aro Aro Creek. I would be grateful if you would forward to me copies of your correspondence so that I might be better informed on the matter.

Yours sincerely,

Marilyn Waring M.P.

Copies sent of letter of 25/5/77 + plan
of 26/5 x Raglan.

Under cover of which compliments slip

(Checked Ministers Office if OK to send
the way) *JS*

9.
30/6/77

File
8/6
2/6

SEO/Hbrs

43/60/6

THE MILITARY AND HOSPITALLER ORDER
OF SAINT LAZARUS OF JERUSALEM

Secretary:

D. ARTER B.E.M.,
C.L.J., C.M.L.J., Cr.L., F.R.S.A., A.N.Z.I.M.

THE ENGLISH TONGUE

The Balliwick of New Zealand

Grand Master:

H.R.H. PRINCE FRANCIS
of Bourbon and Bourbon

Telephone Raglan 8524

KENT TERRACE
RAGLAN

26th. May 1977.

Mr O.J.Conway,
Ministry of Transport,
Marine Divison,
Private Bag,
Wellington 1



Dear Mr Conway,

Thank you for your helpful letter of the 25th., and
more particularly for your friendly approach.

I have tried to make contact tonight with the Bailiff of
the Order, unfortunately he appears to be away, however immediately I
have spoken with him, and he has viewed the land in question I will
report back to you.

I realise of course, that you have already given this
matter a considerable amount of your time, and we would like you to
know that your efforts are much appreciated.

Yours sincerely,


D.W.Arter.

7.
30/6/77

THE MILITARY AND HOSPITALLER ORDER OF SAINT LAZARUS OF JERUSALEM

43/60/6

Receiver General:

THE ENGLISH TONGUE

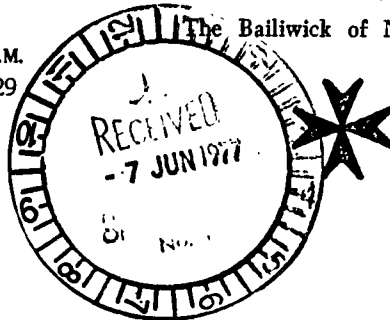
The Bailiwick of New Zealand

BRISTOL BUILDING
641 VICTORIA STREET
HAMILTON N.Z.

3RD FLOOR
NORTHERN BUILDING SOCIETY BUILDING
71 LONDON STREET
HAMILTON, N.Z.

L. J. HILL

K.C.L.J. ~~Secretary~~ J.P., A.C.A., A.N.Z.I.M.
Telephone Hamilton 84-929



3rd June, 1977.

Mr. O. J. Conway,
Ministry of Transport,
Private Bag,
WELLINGTON.

Dear Mr. Conway,

You have previously had correspondence with Mr. D. W. Arter who is a member of our Order, of Box 18, Raglan, and he has now referred to me your letter to him dated 25th May, 1977 (ref. 43/60/6).

I also understand he has advised you that I shall now be persuing the question of the availability of some land directly with you.

If I could refer to green edged portion down on a copy of the map which you supplied to Mr. Arter, it would be in this area that we would wish to endeavour to build flats under the Government subsidised scheme of provision of housing for the elderly.

A visit has been made to the area with the Medical Officer of Health, and it is now my proposed to discuss my plans with the Raglan County Council. This I hope to do early next week.

In the meantime, as I shall be in Wellington from 13th June, 1977, in order to attend the Dominion Council meeting of the N.Z.R.S.A., I thought it may be to our mutual benefit if I were to call on you at say 10.30 a.m. on Monday 13th June, 1977, and I could then outline what development plans I had in mind.

Perhaps if you are not personally available, I could be directed to some officer of your Ministry who may be able to discuss my proposals.

As you probably have little knowledge of our Order I am taking this opportunity of enclosing an introductory booklet, which you may find to be of interest.

Yours faithfully,


L. J. HILL,
CHANCELLOR.

file
on
28/6

CJC
MT

43/60/6

25 May 1977

Mr D.W. Arter
P.O. Box 18
RAGLAN

Dear Mr Arter

I refer to your letter of 3 May and enclosure and regret that I was not able to reply earlier.

On looking back on our file I see that the Raglan Harbour Board first raised the question of the status of the land in what is known as the Aro Aro Creek area back in 1972. At that time the Board was seeking vesting of land inside the causeway so that it could use it for leasing or for car parking.

Subsequent investigation, which also involved Lands and Survey, determined that a portion of that over 10 acre area had, by natural means, become dry (or reclaimed land).

... In 1973 Lands and Survey submitted a plan to this Ministry a copy of which is attached. The area edged green has been determined as dry land but the other areas not. The Harbour Board has been informed by this Ministry that this area (green) can be disposed in terms of the Land Act 1948, although a would be needed to establish the true boundaries.

... To take this matter one step further would you kindly the enclosed plan (an extra copy for your own use) which intended that the pensioner flats might be built. I you could describe the project in more detail, particularly nature of the land involved.

I can then determine whether Crown land (area "A" EDG is involved or the other areas, being Crown tidal land seabed.

The next step then would either be with this Ministry and Survey. Allowing that the physical situation of the area is little changed since the plan was prepared decisions can then be made as to which Department will take the matter further with you, the Board and the local authority.

Jell
DSR

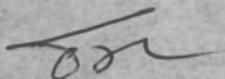
BW 28/6/77 X

I am not altogether in agreement with the letter from the Council to Miss Waring as there is no particular right to claim Crown tidal lands or sea bed by any Harbour Board. If a Board needs such lands it has to justify its requirements, as would anyone else. I am also concerned that the Council (presumably as the Board) should feel that an Environmental Assessment (which is a fact gathering procedure) is such a hurdle, particularly if there is ample justification.

As far as the tidal lands are concerned there are reclamation procedures to be followed if fill is to be used to prevent the entry of the tides and other procedures if people want to build boatsheds, jetties or the like. These issues can be covered later when we know more of your proposal.

I have referred this letter and your correspondence to the Head Office of Lands and Survey. When your reply is to hand I shall discuss the problem with that Departments Officers. Arising from that we should, between us, be able to give you something more definite. If it is necessary that a visit be made to further resolve the issues I am sure this can be arranged.

Yours sincerely



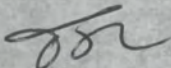
O.J. Conway
for Secretary for Transport

Encls.

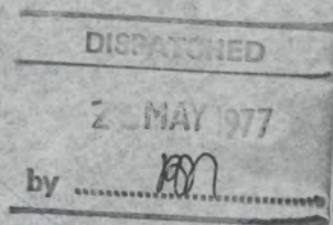
Director General
Department of Lands and Survey
Box 8003
WELLINGTON

Attention: Mr G. Boggs

Referred together with copies of correspondence just received.
Your file reference is 22/1678.



O.J. Conway
for Secretary for Transport



P.O. BOX 18

KENT TERRACE

RAGLAN

3rd. May 1977

Mr O.J.Conway,
Ministry of Transport,
Private Bag,
Wellington.

Dear Mr Conway,

Attached herewith, a letter received by Miss Waring
from the Raglan County Council in May of 1976.

During last year, the local Lions, of which I am not
a member, decided to make an endeavour to be allowed the use of the
ground which we now understand is called the Aro Aro Creek.

Having obtained such permission, it was their plan to
change this eye sore in the middle of the town, into a rest area,
and in general make it a place of beauty, all at their own expense
I might add.

From the attached copy letter you will see that they
came up against a brick wall, and subsequently gave up this idea,
however I understand from the present President that, given the
opportunity they would infact still be prepared to undertake
this project.

The Order of St.Lazarus which I represent, would like
the forefront of the area, this butts onto the main road to the wharf,
for the building of pensioner flats.

We would not need to hold the title of the land, but
pay say a, 'peppercorn rent' or lese for say 33 years.

It would appear to me that the best idea would be for
one of your Officers to come down to view this area personally, as I

7.
30/6/77
gbr

as I/ am given to understand that until comparatively recently some departments of government were not aware that such an area existed, indeed you will find it marked on some maps as river!

Any help and assistance which you can give in this matter will be much appreciated by both The Order St.Lazarus and the Raglan Lions.

Yours faithfully



D.W.Arter

c.c. Miss M.Waring M.P.,
Wellington.

RAGLAN COUNTY COUNCIL

COUNTY CLERK

N. R. TYLER, B.COM., A.C.A., A.C.I.E.

COUNTY ENGINEER

R. B. MURRAY, B.C., N.I.C.E., M.N.Z.I.E.



COUNTY OFFICE - PHONE 8533

COUNTY CLERK (RES.) 8081

ENGINEER (RES.) 8716

P.O. BOX 1
NGARUAWAHIA

REF.

R 2/20/2

26 May 1976

Miss Marilyn Waring M.P.,
Parliament Buildings,
WELLINGTON.

Dear Miss Waring,

ARE AREA BED - RAGLAN

In reply to your letter of 6 May 1976 regarding the Are Are Creek area which adjoins the football park at Raglan, I have to advise that this area of land was the subject of a considerable amount of correspondence extending over a period of more than two years with the Department of Lands & Survey and the Marine Division of the Ministry of Transport.

The Raglan County Council, as the Raglan Harbour Board, endeavoured to acquire this land and hold it for marshalling yards for the Raglan Port and a considerable argument took place between the two Departments as to whether the land was Crown land under the jurisdiction of the Department of Lands & Survey or Harbour bed which would therefore come under the Marine Division of the Ministry of Transport. In actual fact, if the floodgate was lifted at the causeway which leads to the wharf the land would come under tidal influences and in the opinion of my Council is harbour bed. In these circumstances, the Raglan Harbour Board would have the right to make application to the Minister for authority to reclaim the land and hold it for Harbour Board purposes.

The final letter from the Department of Lands & Survey indicated that the land is a matter for the Land Settlement Board to consider if the question of disposal was raised and before doing so the Department would require the Harbour Board to prepare an Environmental Impact Assessment. At this stage the Harbour Board declined to proceed in the matter as it had wasted sufficient time over the proposal and was not prepared to load the staff with additional work to prepare the environmental report.

The Harbour Board still considers that it has first right to obtain this land and if it becomes available from the Crown, will acquire it for Harbour Board purposes. In view of this, it is not considered that the land is available to any other organisation in Raglan. If it had been made available to the Harbour Board, surplus spoil would have been used to fill some of the land and the first use of it would have been a parking area for vehicles which are inclined to cause congestion at Raglan Wharf.

Yours faithfully,

N.R. Tyler
N.R. Tyler,
County Clerk.

NRT:NT

7.
051
30/01/77

BAR:PBH

Our reference: 43/60/6
Your reference: R 2/20/2

12 March 1974


The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

CAUSEWAY RECLAMATION :
AROARO CREEK

Further to my letter of 14 December 1973, I have been advised by the Department of Lands and Survey that the disposition of the land may be dealt with under the provisions of the Land Act 1948, and you should contact that department direct.

Yours faithfully,


(B.A. Ranger)
for Director, Marine Division



(F)

H/FS 43/60/6



Department of Lands & Survey

TELEGRAPHIC ADDRESS: "HEADLANDS" TELEPHONE 44 435

HEAD OFFICE,
P.O. BOX 8003,
GOVERNMENT BUILDING,
WELLINGTON 1.

OUR REFERENCE: 22/1678
YOUR REFERENCE: 43/60/6
PERSON TO CONTACT:



15 February 1974

The Director,
Marine Division,
Ministry of Transport,
WELLINGTON.

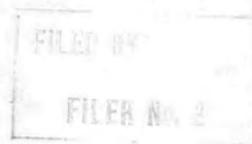
CAUSEWAY RECLAMATION : ARO ARO CREEK, RAGLAN

Your memorandum of 11 February 1974 refers.

I confirm that the disposition of the land may be dealt with under the provisions of the Land Act 1948.

R.J. MacLachlan,
Director-General.

per:



11 February 1974

The Director-General of Lands,
Department of Lands & Survey,
Government Buildings,
WELLINGTON.

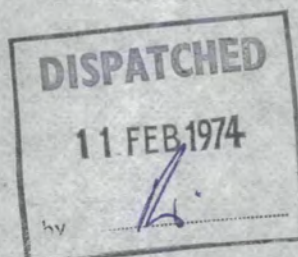
Attention: Mr E. Bryne.

CAUSEWAY RECLAMATION : ARO ARO CREEK,
RAGLAN

Further to my memorandum of 8 October 1973, would you
please advise if the disposition of the land may be dealt with
under the provisions of your legislation.

A
(B.A. Ranger)
for Director, Marine Division

B/V 26-2-74 *X*



(F)

GMOK:JAN

14 December 1973

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA

Dear Sir,

ARO ARO CREEK RAGLAN

I refer to your letter of 27 September 1973, and advise that the status of the land is still under investigation.

I shall reply further to you when the matter has been resolved.

Yours faithfully,

Miss Ranger

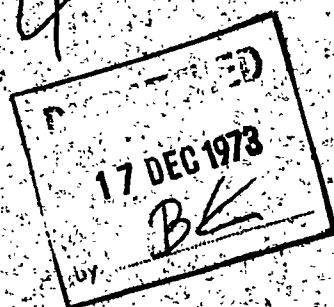
for Director
Marine Division

*Please follow up with
Lands Survey &*

*Then advise B/u 4/2/74
Raglan Har Board*

JSC

7/2



(F)

8 October 1973

The Director General of Lands,
Department of Lands & Survey,
Government Buildings,
WELLINGTON

Attention : Mr E Byrne

CAUSEWAY RECLAMATION : ARO ARO CREEK, RAGLAN

I attach copies of papers concerning a low lying area of land behind a causeway and floodgate at Raglan as shown on the enclosed plan.

Technically, reclamation was apparently carried out in the 1800's when the causeway and floodgate was installed, and to comply with the requirements of the Harbours Act legislation would be required or the floodgate removed.

As the removal of the floodgate would be inadvisable in that the football field would apparently be flooded, the disposition of the land may be appropriately dealt with under the provisions of your legislation. It is considered that in the circumstances a survey is not required to establish what land behind the causeway is above or below mean high water mark.

Please advise.

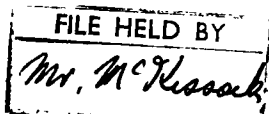
Enclosures: /



h
for Director, Marine Division

BU. 15.11.73
10.12.73

(F)



H/F/S
RAGLAN HARBOUR BOARD

43/60/6

SECRETARY:
N. R.
B.COM., M.C.A., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8433
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.



September 1973

Dear Sir,

ARO ARO CREEK - RAGLAN

In reply to your letter of 30 August 1973 regarding the acquisition of land at Aro Aro Creek, Raglan, I have to advise as follows:

- 1) The current Harbour Board does not consider that it has breached Section 175 of the Harbours Act 1950 in relation to the reclamation of the land used as a causeway or by the installation of a floodgate. This causeway and floodgate have been so long in position that it is not within the living memory of local Board Members. It was evidently constructed in the last century as the Raglan Harbour Board which was then known as the Whaingaroa Harbour Board, was functioning in the 1800's and this causeway with its floodgate is the only access to the wharf. In any event any construction work and installation would not be carried out by the Raglan Harbour Board but either by the Raglan County Council or a Roads Board if one was in existence at that particular time. It would be appreciated if you would re-examine this matter in the light of this evidence.
- 2) If the floodgate was removed, tidal waters would back up to the football field which is reserve and which has been in use for a very long period of years. The football field lies beyond the area which my Board seeks to acquire at the Aro Aro Creek Estuary.
- 3) The Board desires to acquire the Aro Aro Creek Estuary as a future cargo assembly area as there is a possibility of a log trade in the future, and also for parking and recreation. It will be appreciated that the wharf has a very restricted area attached to same and it seems essential for the purposes of the Harbour Board that the Aro Aro Creek Estuary, which is only several hundred yards from the wharf and the only land that is not privately owned and built on, should be acquired by the Board.

I shall look forward to hearing from you on this subject.

Yours faithfully,

N.R. Tyler,
Secretary.

(F)

NRT:MP

43/60/6
Your ref: 3/289/6

GMOK:DEW

24 September 1973

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

ARO ARO CREEK : RAGLAN

Thank you for your memo of 24 July concerning the status of the low lying land behind the Wallis Street causeway at Raglan.

What appears to be in doubt is whether the land shown 'A' on your plan is above or below mean high water mark. I have been advised that a flood-gate has been installed on the Wallis Street causeway, effectively reclaiming the area behind it. Accordingly, I shall seek the views of the Harbour Board concerning the validating of this unauthorised reclamation.

I shall advise you of the outcome in due course.

(G. McKissock)
for Director

FILE

FILED BY
FILER No. 2

24 SEP 1973
by *L*

Initials
(F)

43/60/6

GMCK:DEW

30 August 1973

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA

Dear Sir,

AROARO CREEK, RAGLAN

Further to my letter 5 July, it has been ascertained that a flood-gate has been installed in the Wallis Street causeway, which prevents the tide reaching the area behind the causeway.

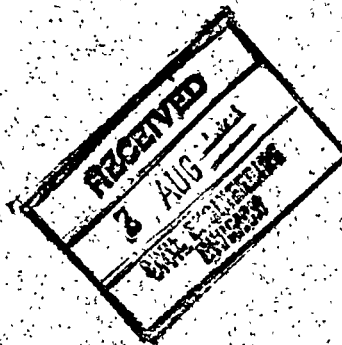
This means that reclamation has been carried out in breach of section 175 of the Harbours Act 1950, and to rectify the position, it will be necessary to remove the flood-gate, or to arrange for validating legislation or a mudflat reclamation under section 152 of the Act.

DC *11* *not planning as agreed purpose*
Please advise what the effect would be if the flood-gate was removed, and the date that the causeway was approved pursuant to section 178 of the Harbours Act 1950. Please also advise your Council's intentions with regard to the ultimate use of the reclaimed land.

Yours faithfully,

H
for Director, Marine Division





M43/60/6

D143 HN HO 2.8.73

RAGLAN TIDAL LIMITS

YR REF D104 31.7.73

ATTN MR J. H. FYSON

HWS at Raglan

INSPECTED RAGLAN AREA BEHIND CAUSEWAY TO WALLIS STREET
DURING HIGH TIDE THURSDAY 2 JULY 1229 HRS. - NONE - OF
10 ACRE AREA COVERED BY SEA WATER.

CASUEWAY HAS CULVERT WITH FLOOD-GATE ALL IN GOOD CONDITIONS
HENCE MINIMUM SEEPAGE.

AREA COVERED IN RUSHES MAINLY, WITH DISTINCT DRAINAGE
CHANNELS AND GENERALLY FIRM GROUND. UPPER PART ALREADY
DEVELOPED INTO SPORTS-FIELD.

ESTIMATED FREE-BOARD ON EXENXXX CAUSEWAY DURING HIGH
TIDE 3 TO 4 FEET. PHOTOS AVAILABLE IF REQUIRED.

(F)



Mr McKissock

Maurice Dru Mot

On further discussion with Mr Drost I find that
the flood-gate is a non-return flap gate which
prevents the tide getting in - the land is
below high tide. Some filling has probably
been done but a survey would be needed
to establish just how much.

R E HERMANS
PER H DROST
15 55 JT

3/8/73

J. H. G. S.
Maurice Dru Exp.

RAGLAN HARBOUR BOARD

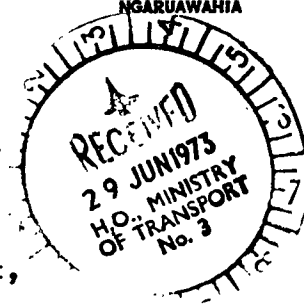
43/60/6

SECRET
N. R. TYLER,
S.COM., A.C.A., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2



28 June 1973

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.

Dear Sir,

ARO ARO CREEK - RAGLAN

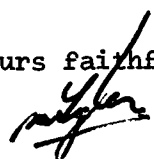
For some time my Board has been corresponding with the Commissioner of Crown Lands in an endeavour to secure title to two areas of land as shown on the attached plan described as A - 10-3-00 and B - 2-3-00 respectively. Area A may or may not be partly above mean high water mark. In general, it appears to be a tidal flat covered with coarse rush and grass and apparently the difficulty being experienced is whether the land is under the control of the Secretary of Transport or Crown land subject to the Land Act 1948.

I enclose a copy of a letter dated 20 June 1973 from the Commissioner of Crown Lands which suggests that the Secretary of Transport be consulted in the matter.

The Board wishes to obtain this land as it is a few hundred yards from Raglan Wharf which is at the end of Wallis Street as shown on the plan and could be used for port expansion in the future if this is found necessary.

It would be appreciated if you would investigate the matter with a view to my Board acquiring the land from your Department if it is under your control.

Yours faithfully,


N.R. Tyler,
Secretary.

NRT:MP

(F)

Department of Lands & Survey

TELEGRAPHIC ADDRESS: 'LANDS'
:JCB

FOR VERBAL INQUIRIES
PLEASE ASK FOR MR. Fitzgibbon

TELEPHONE No. 82-489



OUR REFERENCE: 3/2896
YOUR REFERENCE: R.2/20/2

DISTRICT OFFICE,
P.O. BOX 460,
HAMILTON

20 June 1973

6/73
The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA

Dear Sir,

ARO ARO CREEK, RAGLAN

I refer to your letter of 30 May and note that you consider Area A is not above Mean High Water. Our investigations, however, show that part of Area A, adjacent to the domain, has been reclaimed and is being used as playing fields. Part of the remainder of Area A appears also that it might be above Mean High Water. However the definition of what areas are above and below Mean High Water would necessitate a survey.

As far as this Department is concerned, it has no control over land below Mean High Water. Land in this category is administered by the Marine Division of Ministry of Transport, under the Harbours Act 1950. If, after survey, any of the land is determined to be above Mean High Water then such land would be Crown Land, subject to the Land Act 1948, and under the control of this office.

In view of the comments in your letter of 30 May, I can only suggest you consult again the Secretary of Transport.

Yours faithfully,

A.E. TURLEY
Commissioner of Crown Lands

Per: *A. Fitzgibbon*

(F)

Department of Lands & Survey

TELEGRAPHIC ADDRESS: 'LANDS'

MH

FOR VERBAL INQUIRIES
PLEASE ASK FOR MR

Gray

TELEPHONE No.

82-489



OUR REFERENCE: 3/2896

YOUR REFERENCE:

DISTRICT OFFICE,

P.O. BOX 460,

HAMILTON

24 July 1973



The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1

ARO ARO CREEK, RAGLAN

I have had referred to me by the Raglan Harbour Board a copy of your letter to the Board dated 5 July 1973 regarding the above creek. I am not aware of the contents of the Harbour Board's advice to you, but I think it timely to present you with a brief summary of action to date. From investigations made by this office, I would advise that the following position exists:

- (1) The portion of area "A" bordered green is above mean high water mark and has been for at least 28 years. It is being utilised as playing field in conjunction with the adjoining Domain. As this area is above mean high water it should be dealt with as Crown Land under the Land Act 1948. I consider the logical utilisation of this area is to include it in the adjoining Domain but the final disposal of the land will be a matter for the Land Settlement Board to decide.
- (2) The balance of area "A" is generally below mean high water mark. Over the years vegetation (rushes and grasses) have appeared but a lot of fill and further drainage would be necessary before this balance area could be claimed to be above mean high water mark.
- (3) Area "B" is a sandbank and is below mean high water mark. It is used in conjunction with the adjoining legal road for recreation purposes, i.e. boating and access to the Raglan Harbour. It is not suitable for reclamation.

However, before the Land Settlement Board can give final consideration to the use of area "A", edged green, a survey is required to define the area which is above mean high water mark and thus under its jurisdiction. This survey would also define the land which is below mean high water mark and subject to the Harbours Act 1950. As the Raglan Harbour Board wish to acquire the land they should have a survey undertaken to define the area they wish to apply for.

The survey should be undertaken in conjunction with the Raglan County Council as the existing causeway, coloured blue on the attached plan, should also be defined and

File: 3/2896

proclaimed road. The plan defining the area applied for by the Raglan Harbour Board would have to show separate areas for the portions above or below mean high water mark thus allowing the same plan to be used for the various actions under the Harbours Act 1950 and the Land Act 1948.

... A plan is attached which is self-explanatory.

A.E. TURLEY
Commissioner of Crown Lands

Per:



Encl. ✓

MSL 1,9

RAGLAN.

M. H. H. W. Raglan + 26.m
H.W. (0,3)

H.W. (3,4)

-0,2

-0,4

LOW

HIGH

Jy 30 0336 0,0 0948 3,4 Jy 30 0402 -0,2 1014 3,0

1554 0,0 2214 3,7 1620 -0,2 2240 3,3

Aug 31 0425 0,0 1034 3,5 31 0451 -0,2 1100 3,1

1642 0,0 2258 3,7 1708 -0,2 2324 3,3

Aug 1 0512 0,0 1119 3,5 Aug 1 0538 -0,2 1145 3,1

1730 0,1 2342 3,6 1756 -0,1 2352 3,2

2 2 0008 3,2

15 0412 0,4 1021 3,2 15 0438 -0,2 1047 2,8

1624 0,3 2235 3,3 1650 -0,1 2301 2,9

16 0447 0,3 1054 3,2 16 0513 0,1 1620 2,8

1700 0,3 2309 3,3 1726 0,1 2335 2,9

9.15 2.9

10.00 3.1

10.40 3.1

11.20 3.1

Mon 27

28

29

30

9 MCK RM 809.
31st 12 pm 3.0

Leads at Raglan
July 1 11.20

5 July 1973

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

ARO ARO CREEK : RAGLAN

I refer to your letter and enclosures of 28 June, and to my previous reply of 7 December 1972 on this subject.

Although the Commissioner of Crown Lands advises that a survey would be required, I assume that this would be to establish the boundaries and acreage, not to decide whether it is under the jurisdiction of this Ministry or not. Your description of the land indicates that the area is no longer washed by the ebb and flow of the tides at ordinary spring tides, i.e. the area would only receive salt water during freak tides or storm conditions.

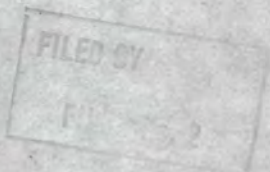
Accordingly, it would definitely be Crown land subject to the Land Act 1948, and under the control of the Commissioner of Crown Lands.

Yours faithfully,



(G. McKissock)
for Director, Marine Division

File all papers



H A R B O U R



PEM:MG

Your Reference: 2/20/2

7 December 1972

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA

Dear Sir,

ARO ARO CREEK, RAGLAN

Replying to your letter of 30 November, it appears from your description that Aro Aro Creek, which was a tidal inlet and thus Crown land subject to the Harbours Act 1950, has now silted up and is dry land. If this is correct, the area concerned will be Crown land subject to the Land Act 1948, and vesting of the land in the Board would be a matter for the consideration of the appropriate Commissioner of Crown Lands after survey.

This Ministry would wish to be satisfied that the area was properly drained and retained, so that it would not subsequently erode away, and a report from our technical officers would be called for.

I suggest that you first consult the Commissioner of Crown Lands.

Yours faithfully,



(P.E. Muers)
for Secretary for Transport



RAGLAN HARBOUR BOARD

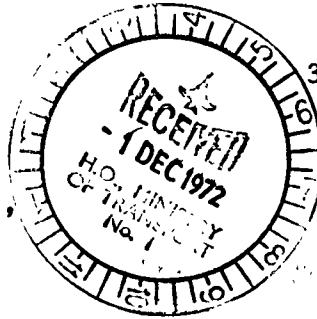
SECRETARY:
N. R. TYLER,
B.COM., A.C.A., A.C.I.S.

P.O. BOX 1
NGARUAUWAHIA

43/60/6 17
TELEPHONE 8633
NGARUAUWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.



30 November 1972

Dear Sir,

ARO ARO CREEK - RAGLAN

I have to advise that there is an area of land at Raglan on the inner side of a causeway which is apparently part of the Raglan Harbour bed. This area of land is marked on the Valuation Department plans as Aro Aro Creek but over the years it has silted up and actually is in tussock and grass. There is, of course, a small drain down the centre which flows under the causeway. A plan of the area is attached.

My Board desires to acquire this land and have it vested in the Harbour Board so that it can be used either for leasing purposes or for a parking area. It would be appreciated if you would advise the steps to be taken to have this land vested in the Raglan Harbour Board or if the matter could be initiated as a result of this letter.

Yours faithfully,

N.R. Tyler,
Secretary.

NRT:MP

Encl: ✓

42/58/15 ?
14

RAGLAN COUNTY COUNCIL

COUNTY CLERK

N. R. TYLER, B.COM., A.R.A.M.Z., A.C.I.S.

COUNTY ENGINEER

R. B. MURRAY, B.E., A.M.I.C.E., A.M.N.Z.I.E.



COUNTY OFFICE - PHONE: 8833
ENGINEER (RES.) - PHONE: 8716

P.O. BOX 1
NGARUAWAHIA

REF. P 2/6

17 December 1968

The Acting Secretary for Marine,
Marine Department,
P.O. Box 10142,
WELLINGTON.

MARINE DEPARTMENT
H.O. REC'D
20 DEC 1968
RECEIVED

Dear Sir,

Endowment Foreshore - Port Waikato Harbour
Board

13

In reply to your P 2/6 of 11 December 1968 regarding the above, I desire to draw your attention to the fact that the request is in respect of foreshore under the control of the Port Waikato Harbour Board which was abolished and not the Raglan Harbour Board as mentioned in your letter.

I shall look forward to hearing from you in February of next year.

Yours faithfully,

N.R. Tyler

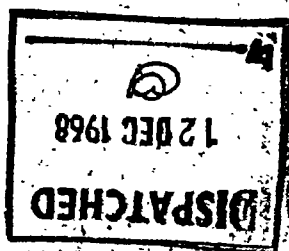
N.R. Tyler,
County Clerk.

NRT:MP

4/305
54/3/138

MCL:SA

P2/6



11 December 1968

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

ENDOWMENT FORESHORE : RAGLAN HARBOUR BOARD

The information required by you regarding areas of tidal land endowed in the Raglan Harbour Board at the time of its abolition will involve considerable research. Due to the shortage of staff in this office, I will not be in a position to obtain this information until about early February of next year.

Hoping this meets with your approval.

Yours faithfully,

C.W. FRANKS
Acting Secretary for Marine

per:

G. C. Liapis
(M.C. Liapis)

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

Copy for your information.
Your ref. 13/1/60.

C.W. FRANKS
Acting Secretary for Marine

per:

G. C. Liapis
(M.C. Liapis)

B14 26.1.69 *(Mr Russell)*

DG:MFF

TELEPHONE

EXTENSION



PLEASE QUOTE

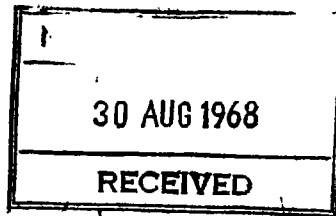
Marine 2599

OUR REFERENCE

YOUR REFERENCE

13/1/60

54/14/28



MARINE DEPARTMENT.

P.O. Box 1254,
AUCKLAND.

27th August, 1968.

Secretary for Marine,
WELLINGTON.

FORESHORE CONTROL RAGLAN COUNTY COUNCIL.

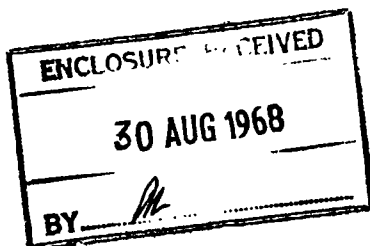
Enclosed please find copy of a request from Raglan County Council in which they desire information regarding the Foreshore Control at the time of the abolition of the Port Waikato Harbour Board.

This information is not available in this office, please advise.

D. Greig

B.E. TURNER,
District Officer.

Per : D. Greig.



RAGLAN COUNTY COUNCIL

COUNTY CLERK

N. R. TYLER, B.COM., A.R.A.N.Z., A.C.I.S.

COUNTY ENGINEER

R. D. MURRAY, B.E., A.M.I.C.E., A.M.N.Z.E.E.



COUNTY OFFICE - PHONE: 8833
ENGINEER (RES.) - PHONE: 8718

P.O. BOX 1
NGARUAWAHIA

REF. P 2/6

19 August 1968

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



Dear Sir,

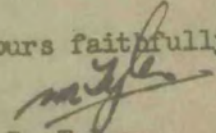
Foreshore Control

In reply to your 13/1/60 of 16 August 1968 regarding the foreshore control, I desire to thank you for a copy of the Gazette Notice which relates to the Raglan Harbour Board. As my Council is the Harbour Board, this reference will be useful.

The request, however, that I made to an Officer of your Department recently was for information regarding foreshores under the control of the Raglan County Council when the Port Waikato Harbour Board was abolished and the assets vested in my Council.

I shall look forward to receiving this information in due course.

Yours faithfully,


N.R. Tyler,
County Clerk.

NRT:MP

40310272
11.6.48

4/4392

MD 12139

3/2/8

9.
11/3/2/8

Ex
47

1 July 1965

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA.

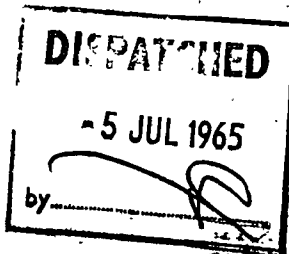
Dear Sir,

Endowments and Other Areas

Thank you for your letter R2/20/2 of 25 June 1965, verifying the endowment lands of your Board shown on the map.

The information you have supplied also will be of material assistance to me in completing the project and your help in this matter is appreciated.

Yours faithfully,



for G. L. O'Halloran
Secretary for Marine

N



M3/2/8

23 May 1958

The Director General,
Department of Lands and Survey,
WELLINGTON.

Endowment Lands Raglan Harbour Board

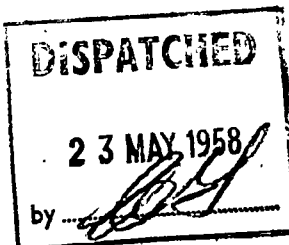
I enclose copy of a letter from the Raglan Harbour Board which has not been acknowledged. If you are unable to answer the letter direct from the information on your file, would you please let me have your file for perusal. Apparently my earlier papers under reference M3/2/8 are now attached to your file 22/1678 and without further particulars here of the endowment, I am unable to give the Board a reply.

If you reply direct, would you please let me have a copy.

LT
(L. P. Turner)
ACTING SECRETARY FOR MARINE

(Enc.)

B/V 13/6/58
LT



M. 3 / 2 / 8 2

Mr Cullen / I rang the L. & S. Record Clerk who
verified that our former file M 3/2/8 is now attached
to their L. & S. 22/1678.

When I gave him the gist of
folio 1 he said it was probably a matter which
should be referred to Lands Dept.

AW
20/5/58

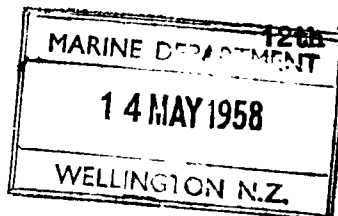
now L&S 22/1678 NL
RAGLAN HARBOUR BOARD 3/2/8

G. BROWNLEE-SMITH, SECRETARY

P.O. BOX 1
NGARUAWAHIA

HARBOUR BOARD OFFICE
PHONE 3, NGARUAWAHIA
RAGLAN AGENT J. PARKER
PHONE 46W, RAGLAN
RAGLAN WHARF PHONE 121-
RAGLAN

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



12th May, 1958.

NOTE:- File M 3/2/8 is
now attached to hands &
Survey Dept. file 22/1678
JNV.

Dear Sir,

Rents of Endowment Lands.

The Raglan Harbour Board has had vested in it for many years, certain reserves in Raglan Town, which are leased and return an annual revenue to the Board of £434. This rental has always been credited to the Harbour Fund Account.

The whole of the Harbour Board receipts to date have always been used for shipping purposes, mainly maintenance and extension of the wharf sheds and the maintenance of beacon lights.

Since the War there has been a very considerable increase in the use of the Harbour by launches, outboard motor boats, and small yachts at Raglan.

An active boating club has been formed and the Board is now being pressed to allocate endowment rents solely for boat slipways and launch and boat facilities generally.

There is a certain number of people who maintain that the endowments were given to the Board solely for boat purposes and fore-shore improvements.

There is nothing in the correspondence in this office which would indicate that the endowments were vested in the Board for any particular purpose other than for general Harbour purposes. Section 136 and Sections 46/49 of the Harbours Act 1950 appear to be the authority governing the point.

The earliest balance sheets of the Harbour Board in this office are for the year ended 31st December 1902 and the endowments were shown in the balance sheet at that date.

My advice to the Board is that the endowments, unless they were vested for any particular purpose can be spent by the Board under Authority of Section 49.

Would you please advise if your files show whether the endowments were vested for any particular purpose, if not please comment on my interpretation of Section 49 and the use of endowment rentals.

Yours truly,

G. Brownlee-Smith,
Secretary.

GBS:JC.

M.3/2/8

P.O. BOX 3014,
Wellington, C.I.
13th December, 1950.

The Secretary,
Raglan Harbour Board,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

FORESHORE RESERVE - RAGLAN.

With reference to your letter of the 6th instant asking if this Department would lease part of the area of the Foreshore Reserve which, for many years, was used as the Raglan Pound, I have to advise that I am unable to locate the site on the plans held in this office.

I presume that this Pound does not form part of your Harbour endowment. I presume also that the area is above high water mark ordinary spring tides. If both my assumptions are correct then this Department has no jurisdiction in the matter. If however you are prepared to forward me a rough sketch of the site and indicate on the plan the block and section number, I am prepared to make further enquiries. I should say however that this Department is not in favour of Harbour Boards becoming the owner of lands merely for the purposes of leasing them to obtain the rents. If this section which you refer to is not a Harbour reserve and is not subject to tidal influence then it appears to me that if the property is required it should be held by the Raglan County Council and not the Raglan Harbour Board.

Yours faithfully,


SECRETARY FOR MARINE.
(W.C. Smith)

file
13.12.50



3 2 8

RAGLAN COUNTY COUNCIL

G. BRIDGES-LEE-SMITH, COUNTY CLERK
M. O. K. ANSTISS, A.M.I.C.E., COUNTY ENGINEER

P.O. BOX 1
NGARUAWAHIA

COUNTY OFFICE - PHONE 3
ENGINEER (RESIDENCE) PHONE 1

6th December, 1950.

Secretary for Marine,
P.O. Box 3014,
WELLINGTON.

Dear Sir,

FORESHORE RESERVE - RAGLAN.

There is a very nice area of foreshore reserve, over an acre in area, a part of which, for many years, was used as the Raglan Pound.

The area is overgrown with grass and there is a rough access through one part of it to a small beach which is used for the beaching of small launches and rowing boats.

It would be possible to lease part of the area and get at least one and possibly two quarter-acre sections which could be leased at a fairly substantial rental. If this was done the access to the beach from the Main Highway could be improved and an area cleared and set aside for picnic parties and general use by the public. The area so left would be almost half an acre.

The area is unused at the moment and on the portion previously used ~~by the Crown~~ ^{by the Crown} there are a number of concealed dips and hollows. *Pound*

There is a desperate shortage of building sections in Raglan and it seems a pity that part of the area could not be leased and, as you know, the Harbour Board is suffering from "growing pains" and the additional revenue from two building sections would provide at least £40-0-0 per annum in rents and rates.

I can see no reason why my proposal should not be carried out. The public would gain by it as the Board would be prepared to clean up the area reserved for the public, plant it and, if necessary, fence it neatly and, at the same time, improve the short access to the beach.

The whole area is at present neglected and I think one reason why the public do not use it is the fact that it is so overgrown.

The Board would, of course, lease the building sites by public tender but I am writing to you to ascertain if there are any conditions which your Department would require to impose in respect of the proposal.

The lease would be for a term of twenty-one years with the right of renewal for a further twenty-one years on the same basis as the other Harbour Board Endowment leases.

I have not approached my Board on the matter yet as I do not wish to take definite steps until I know Departmental requirements.

*Mr Burke
For consideration
7/12*

M. ³
SERIES
SUB-RE.
278

L.A.19/73/77

Circular No. 473

DEPARTMENT OF INTERNAL AFFAIRS,
W E L L I N G T O N,
9th October, 1925.



MEMORANDUM FOR:

The Secretary,
Marine Department,

Re Ragland East Harbour Reserve Sales

Referring to previous correspondence,
I have to inform you that provision relative to
the above matter is contained in Section 70 of
the Reserves and Other Lands Disposal and Public
Bodies' Empowering Act, 1925.

G. P. NEWTON,

Assistant Under Secretary.

*Filed
15.10.25*

I.A.19/73/77
ET.



M. 100-100
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278

OFFICE OF THE MINISTER OF INTERNAL AFFAIRS,



Wellington,

13th August, 1925.

MEMORANDUM for:

The Hon. Minister of Marine.

Raglan East Harbour Reserves Sales.

I have to acknowledge receipt of your memorandum of the 4th instant, relative to the above matter, and have to thank you for the information contained therein.

The clause in question has now been received by my Department, and I have approved its insertion in the Washing-Up Bill this session.

Richd. F. Brown

The Secretary,
Marine Department,

Referred.

GA

15-8-25.

File

I.A.19/73/77
ET.



M.

SERIES
104-13

3
278

DEPARTMENT OF INTERNAL AFFAIRS.

WELLINGTON.

13th August, 1925.

MEMORANDUM for:

The Secretary,
Marine Department.



RAGLAN COUNTY COUNCIL.

I have to acknowledge receipt of your memorandum of the 10th instant, forwarding for insertion in the Washing-Up Bill clause validating the sale of a small portion of the Whaingaroa Harbour Endowment.

In reply, I have to inform you that the Hon. Minister of Internal Affairs has approved the insertion of this clause in the Bill.

A handwritten signature in cursive script, appearing to read "G. A. Gordon".

Assistant Under Secretary.

M/D.

L & S 22
1678

L & S. 22/1678

M. SERIES
SUB-Ss.
10th August, 1925.

MEMORANDUM for:-

The Under Secretary,
Department of Internal Affairs,
WELLINGTON.

Herewith I forward draft, in triplicate, of a clause which the Minister has approved for insertion in the Washing-up Bill, validating the sale of a small portion of Whaingaroa Harbour Endowment, together with an explanatory memorandum also in triplicate.

(Sgd.) G. C. GODFREY,

Secretary.

File



EXPLANATORY MEMORANDUM.

Under Section 93 of the Reserves and Other Lands Disposal &c. Act, 1920, the Raglan County Council, exercising power of a Harbour Board in respect of Whaingaroa Harbour, was authorised to sell by auction and convey certain portions of land fronting to the Harbour and roads adjacent, being surplus land not required for harbour purposes or for roading. Such lands were described in the section and were thereafter on the 28th July, 1923, offered at auction at Raglan in various lots and were all sold. Among the lots was a small piece (containing only 3.15 per.) on the northern side of the road. This was purchased by one Neil Reid of Raglan, at £20 and the whole of the purchase money was paid over to the Council, but up till recently no conveyance was called for or executed. On the purchaser now requiring title, it was found that this small piece of land had been omitted from the lands described in above section 93 it being a small corner of Lot 8 the whole of which was assumed to have been included in Proclamation taking that Lot among others for the Harbour front road. It was obviously not required for harbour purposes and should have been included in the authority to sell. The purchaser now requires evidence of statutory authority to sell, on return of his purchase money and the Minister has approved of statutory power being taken to validate this sale.

DRAFT CLAUSE.

WHEREAS under the provisions of Section 93 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1920 the Raglan County Council exercising (by virtue of a certain order-in-council dated the 27th day of January 1894) the powers of a Harbour Board in respect of Whaingaroa Harbour was authorised to sell and convey certain pieces of land being Lots 11, 12 and 13 of Section 5 of the subdivision known as "Raglan East" originally acquired for harbour purposes but no longer required for such purpose by public auction upon terms in such section set out AND WHEREAS the said County Council in pursuance of such authority on or about the 28th day of July 1923 sold such pieces of land by auction in various lots to various purchasers including a small piece of land containing 3.15 perches being the residue of Lot 8 of Section 2 of said subdivision (not taken for and proclaimed as a public road by proclamation registered under Number 4059 and published in the N.Z. Gazette 1917 page 780) sold for the sum of £20 to one Neil Reid who paid the full purchase money therefor to the said County Council which placed the same to the credit of the Whaingaroa Harbour Wharf Construction Account but no conveyance of such piece of land was or has been executed AND WHEREAS recently upon the said County Council being required to give title to the said Section it was discovered that the said small piece of land had inadvertently been omitted from and did not actually form part of the lands comprised and authorised to be sold by the said Section 93 of the said Act owing to the assumption that the whole of the said Lot 8 had been previously taken for the purpose of such public road. AND WHEREAS the said small piece of land was and is no longer required for Harbour purposes and it appears that the sale thereof was in fact made without statutory authority AND WHEREAS it is desirable

2.

to confirm such sale and that the said County Council be enabled to convey and assure the said small piece of land to the purchaser thereof BE IT THEREFORE ENACTED as follows:-

1. The Raglan County Council is hereby authorised and shall be deemed to have been authorised as at the 29th day of July 1923 to sell and dispose of the said piece of land described in the next clause hereof and is hereby authorised to convey and assure the same to the said Neil Reid.

2. The land to which this section relates is more particularly described as follows:-

All that triangular piece of land containing 3.16 perches more or less being part Lot 8 of Section 2 of the subdivision known as Raglan East and the residue of the land comprised and described in Deed of Conveyance registered in ~~the~~ the Deeds Registry Office at Auckland under Number 218016 not taken for the purpose of a public road by proclamation under Section 11 of the Land Act 1908 registered in the said office under Number 4059 and is bounded on the North by the said proclaimed road 76.40 links on the South East by a road known as Ross Street 63.20 links and on the South West by part Lot 9 of said subdivision 42.32 links.

L & S 22
1678
L.S. 22
1678
M. SERIES
SUB-Ns.
278

M/B.

4th August, 1925.

MEMORANDUM for:

The Hon. Minister of Internal Affairs.

Raglan East Harbour Reserves Sales.

I am in receipt of your memorandum of the 21st ultimo, with reference to the Raglan County Council's request for statutory authority to sell a small area of harbour endowment not required for harbour purposes; and in reply to state that I have approved of the request and the necessary clause and explanatory memorandum is being forwarded to the Under-Secretary of Internal Affairs for inclusion in the Bill.



sgd G. J. Anderson

Minister of Marine.

Letter to Joseph

M/B.

RE RAGLAN EAST HARBOUR RESERVES SALES.

Hon. Minister,

With reference to the attached request of the Raglan County Council, forwarded through the Hon. the Minister of Internal Affairs, asking for the insertion of a clause in the Washing-up Bill to empower the Council (acting in its statutory capacity as the Whaingaroa Harbour Board) to validate the sale of a small piece of its endowment not now required for harbour purposes, I beg to state that I see no objection to the request.

The area in question, shown in blue on the attached sketch, is a small piece of section 8 left over after taking the remainder of the section for a public road. It is only 3.15 perches in extent and is apparently of no use for harbour purposes.

The Board was in 1920 authorised to sell certain portions of its endowments which were no longer required for the purpose for which such portions were granted, viz., for taking material for construction of its harbour-works, and, being under the impression that this particular area was included in the area authorised to be sold, disposed of it. It now finds that it has sold without authority.

I recommend that the proposed clause be inserted in the Bill. If you approve will you please sign the attached memorandum for the Hon. the Minister of Internal Affairs?

*anna
PVA
2/8/25*

[Signature]

Secretary.

58 21

I.A.
ET.



L.S. 22

1678

3

OFFICE OF THE MINISTER OF INTERNAL AFFAIRS,

M.A. 218

Wellington,

21st July, 1925.



MEMORANDUM for:

The Hon. Minister of Marine.

RAGLAN EAST HARBOUR RESERVES SALES.

I forward herewith correspondence which has been submitted to me by the Solicitors to the Raglan County Council, relative to the above matter. As it is one affecting a Harbour Board, I shall be glad if you will give it due consideration. The letter has been acknowledged.

If you agree with the request for the insertion of a clause in the Washing-Up Bill this session, I shall be glad if you will at an early date arrange for a draft clause to be submitted to my Department in accordance with the Under Secretary's Circular to Permanent Heads and Under Secretaries dated 14th April 1925.

Richd. Gould

Encl.

The Secretary,
Marine Department,

For consideration please.

f v

23-7-25.

Hon Minister of Internal Affairs 4/8/25

WYNYARD, WILSON, VALLANCE & HOLMDEN

BARRISTERS & SOLICITORS.

WARWICK WILSON.
WM. VALLANCE.
T. N. HOLMDEN, LL.B

CABLE AND TELEGRAPHIC ADDRESS:
"WINDLASS, AUCKLAND"

P.O. BOX 754.

M. SERIES 3
HARBUTT BUILDINGS, SUB-MS.
VICTORIA STREET EAST
AUCKLAND, N.Z. 2/18

17th. July 1925

The Hon. R.F. Bollard

Minister of Internal Affairs,

Ministers' Office

WELLINGTON.

Dear Sir,

re Raglan East Harbour Reserves Sales.

Under section 93 of the Reserves and Other Land Disposal &c Act 1920, the Raglan County Council exercising power of a Harbour Board in respect of Whaingaroa Harbour, ~~was~~ authorised to sell by auction and convey certain portions of land fronting to the Harbour and roads adjacent, being surplus land not required for harbour purposes or for roading. Such lands were described in the section and were thereafter on the 28th. July 1923 offered at auction at Raglan in various lots and were all sold. Among the lots was a small piece (containing only 3.15 per.) on the northern side of the road, this was purchased by one Neil Reid of Raglan, at £20 and the whole of the purchase money was paid over to the Council, but up till recently no conveyance was called for or executed. On the Purchaser now requiring title, it was found that this small piece of land had been

omitted from the lands described in above section 93 it being a small corner of Lot 8 the whole of which was assumed to have been included in Proclamation taking that Lot among others for the Harbour front road. It was obviously not required for harbour purposes and should have been included in the authority to sell. The Purchaser now requires evidence of statutory authority to sell, or return of his purchase money (and the Council has undertaken to obtain statutory power in the present Washing Up Bill, failing which it must return the purchase money for want of title.

We enclose a sketch plan showing the small portion and have prepared and enclose suggested clause for insertion in the Bill to enable the Council to carry out its contract. The matter^{is}, as you will see, ^{but now urgent} very small and the sale was made wholly in reliance upon the whole of the surplus land being covered by the 1920 section.

We venture to ask, on behalf of the Council, that you will seek to have this enabling clause inserted and confirmation of the sale accorded.

Yours faithfully,
WYNYARD WILSON VALLANC & HOLMLEN

Encls.
WV.

per: *WV.*

WHEREAS under the provisions of Section 93 of The Reserves and other Lands Disposal and Public Bodies Empowering Act 1920 the Raglan County Council exercising (by virtue of a certain order-in-council dated the 27th day of January 1894) the powers of a Harbour Board in respect of Whaingaroa Harbour was authorised to sell and convey certain pieces of land being Lots 11, 12 and 13 of Section 5 of the subdivision known as "Raglan East" originally acquired for harbour purposes but no longer required for such purposes by public auction upon terms in such Section set out AND WHEREAS the said County Council in pursuance of such authority on or about the 28th day of July 1923 sold such pieces of land by auction in various lots to various purchasers including a small piece of land containing 3.15 perches being the residue of Lot 8 of Section 2 of said subdivision (not taken for and proclaimed as a public road by Proclamation registered under Number 4059 and published in the N.Z. Gazette 1917 page 780) sold for the sum of £20 to one Neil Reid who paid the full purchase money therefor to the said County Council which placed the same to the credit of the Whaingaroa Harbour Wharf Construction Account but no conveyance of such piece of land was or has been executed AND WHEREAS recently upon the said County Council being required to give title to the said Section it was discovered that the said small piece of land had inadvertently been omitted from and did not actually form part of the lands comprised and authorised to be sold by the said Section 93 of the said Act owing to the assumption that the whole of the said Lot 8 had been previously taken for the purposes of such public road, AND WHEREAS the said small ^{piece of land} section was and is no longer required for Harbour purposes and it appears that the sale thereof was in fact made without statutory authority AND WHEREAS it is desirable

M. 22115 3
SUS. A. 2/18

to confirm such sale and that the said County Council be enabled to convey and assure the said small piece of land to the purchaser thereof BE IT THEREFOR ENACTED as follows -

1. The Raglan County Council is hereby authorised and shall be deemed to have been authorised as at the 29th day of July 1923 to sell and dispose of the said piece of land described in the next clause hereof and is hereby authorised to convey and assure the same to the said Neil Reid.

2. The land to which this section relates is more particularly described as follows:

All that triangular piece of land containing 3.15 perches more or less being part Lot 8 of Section 2 of the subdivision known as Raglan East and the residue of the land comprised and described in Deed of Conveyance registered in the Deeds Registry Office at Auckland under Number 218016 not taken for the purpose of a public road by proclamation under Section 11 of The Land Act 1908 registered in the said Office under Number 4059 and is bounded on the North by the said proclaimed road 76.40 links on the South East by a road known as Rose Street 63.20 links and on the South West by part Lot 9 of said subdivision 42.32 links,

Clause for insertion in The Reserves &
Other Lands Disposal and Public Bodies
Empowering Bill 1925

M. 3
278

Authorising the Raglan
County Council to sell
& convey certain land.

WHEREAS under the provisions of Section 93 of The Reserves and other Lands Disposal and Public Bodies Empowering Act 1920 the Raglan County Council exercising (by virtue of a certain order-in-council dated the 27th day of January 1894) the powers of a Harbour Board in respect of Whaingaroa Harbour was authorised to sell and convey certain pieces of land being Lots 11, 12 and 13 of Section 5 of the subdivision known as "Raglan East" originally acquired for harbour purposes but no longer required for such purposes by public auction upon terms in such Section set out AND WHEREAS the said County Council in pursuance of such authority on or about the 28th day of July 1923 sold such pieces of land by auction in various lots to various purchasers including a small piece of land containing 3.15 perches (being the residue of Lot 8 of Section 2 of said subdivision not taken for and proclaimed as a public road by Proclamation registered under Number 4059 and published in the N.Z. Gazette 1917 page 780) sold for the sum of £20 to one Neil Reid who paid the full purchase money therefor to the said County Council which placed the same to the credit of the Whaingaroa Harbour Wharf Construction Account but no conveyance of such piece of land was or has been executed AND WHEREAS recently upon the said County Council being required to give title to the said Section it was discovered that the said small piece of land had inadvertently been omitted from and did not actually form part of the lands comprised and authorised to be sold by the said Section 93 of the said Act owing to the assumption that the whole of the said Lot 8 had been previously taken for the purposes of such public road. AND WHEREAS the said small ^{piece of land} section was and is no longer required for Harbour purposes and it appears that the sale thereof was in fact made without statutory authority AND WHEREAS it is desirable

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M. 278
DENIED
1003-Rs.

to confirm such sale and that the said County Council be authorised to convey and assure the said small piece of land to the purchaser thereof BE IT THEREFOR ENACTED as follows -

1. The Raglan County Council is hereby authorised and shall be deemed to have been authorised as at the 29th day of July 1923 to sell and dispose of the said piece of land described in the next clause hereof and is hereby authorised to convey and assure the same to the said Neil Reid.

2. The land to which this section relates is more particularly described as follows:

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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

6348

REGISTER NO. DEED. DATE OF DEED. RECORD. REFERENCE

PARTIES.

REMARKS.

NZ Gazette 1917
Vol. 1 page 780.

2977 166596 Conco 29 10 1903 R96 442
29 168/218016 Conco 12 3 1912 R96 561 2977

Chamberlain & Co to Wyngdon for (2002-03) back from NZ Gazette No 39 for March 1917.
Wyngdon for to Region C.C.

Proclamation No 4059 taking part for a road

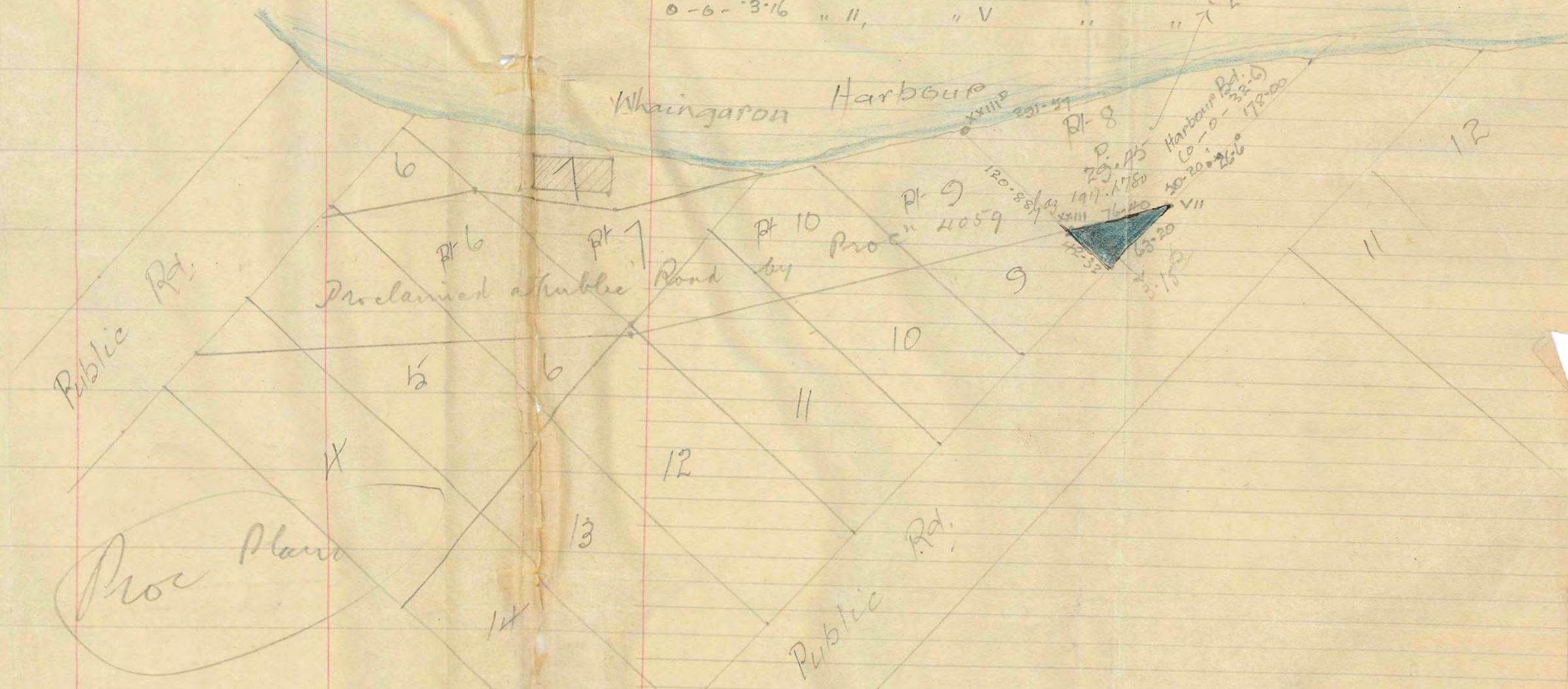
In pursuance & exercise of the powers etc etc.

led 11 of Land Act 1908 proclaimed as a pub Rd

11 12 13 14

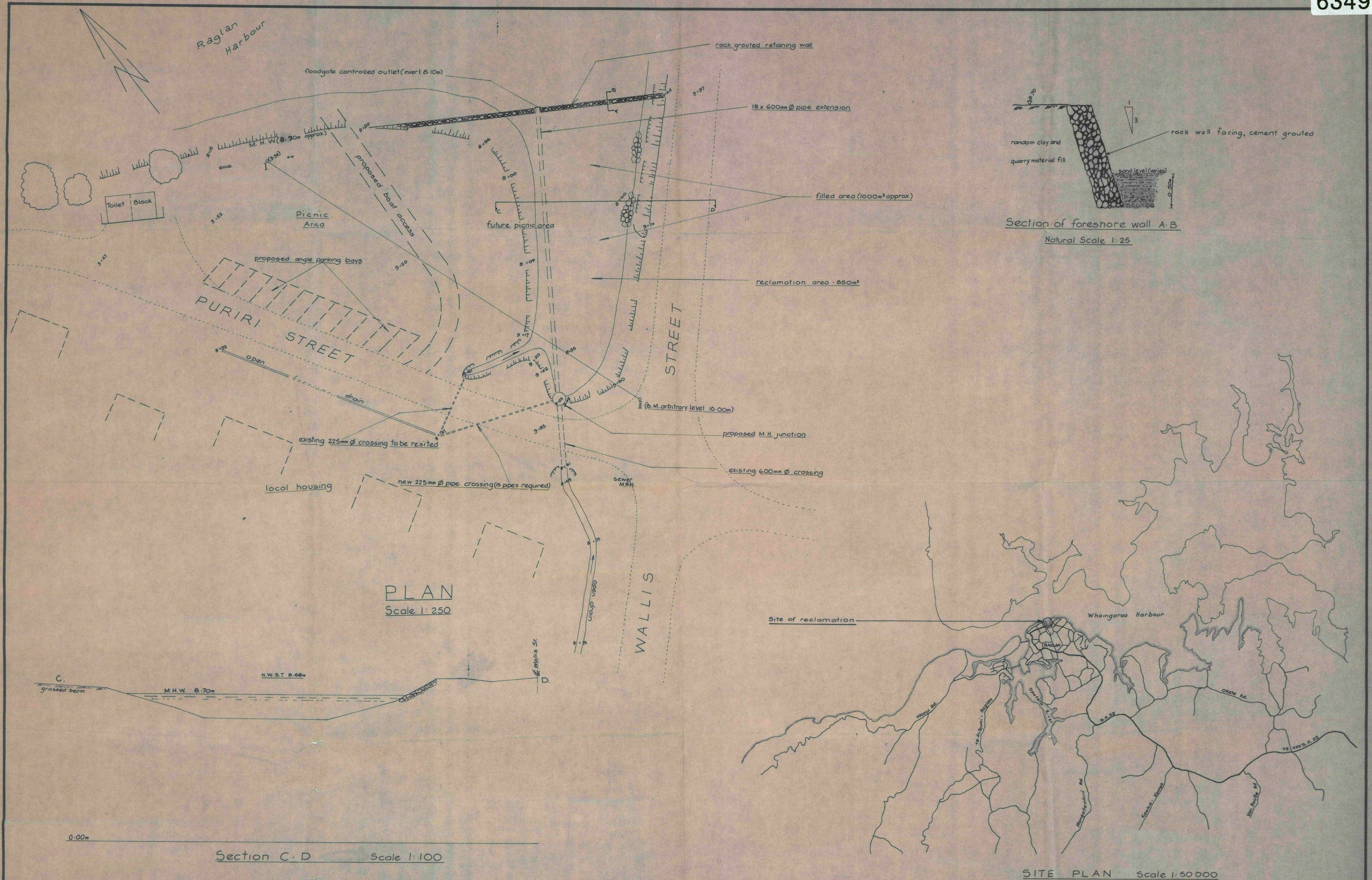
A R P

A R P	Lot	Coloured	Blue
0-0-2-96	1	Black	Blue
0-0-15-47	5	"	red
0-0-21-42	6	"	blue
0-0-19-22	7	"	yellow
0-0-0-03	12	"	blue
0-0-6-31	11	"	purple
0-0-16-67	10	"	neutral
0-0-19-34	9	"	red
0-0-29-45	8	"	Green 29 168.
0-0-3-16	11	" V	"



WYNARD, WILSON, VALLANCE & HOLMES
SOLICITORS
AUCKLAND

6348



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No.	DATE	BY	AMENDMENT

FIELD BOOK
92
LEVEL BOOK

**RAGLAN
COUNTY
COUNCIL**

**RAGLAN RECLAMATION
CORNER WALLIS & PURIRI STREETS
LION PROJECT**

	NAME	DATE
SURVEYED	K.C.K.	9/81
DESIGNED	-	-
DRAWN	-	-
TRACED	-	-
CHECKED	-	-

SCALES	
As Shown	
SHEET No. 1	OF 1
DATE September, 1981.	

APPROVED
<i>[Signature]</i>
COUNTY ENGINEER
R.C.C. 2954