

Box	Name and Subject	File Number	ID
EKMT 00011	54/4/202 Thames Borough Council - Reclamation - Kauaeranga River (1969- 77)	15 47 01	10896



10896

54/4/202

8/5/279

Northern Regional Office
Private Bag
AUCKLAND

Tel: 73400

22 March 1977

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

THAMES SAILING CLUB, KAUAERANGA RIVER

Your letter of 8.3.77 to the Secretary of Transport refers.

I am advised by the Secretary of Transport, Wellington that based on your advice it would appear that the land is above Mean High Water Ordinary Spring Tides Mark and unless there is reason to suspect that illegal reclamation has occurred he sees no reason to object.

D. Greig
for Regional Secretary
for Transport



MINISTRY OF TRANSPORT



Our Ref.: 43/64/9/4

Your Ref.: 54/4/202

To.....Regional Secretary,..... From.....Head Office.....

.....AUCKLAND..... Date: 16 March 1977.....

Subject: THAMES SAILING CLUB - KAUAERANGA RIVER.....

Attention: Mr Greig

... 1. We enclose a plan and photocopy of a memorandum received from the Commissioner of Crown Lands at Hamilton. Although the information received from the Commissioner of Crown Lands does not do much to clarify the exact location, their comments concerning the state of the land confirm that it is above mean highwater mark ordinary Spring tides. Unless we have reason to suspect that it had been illegally reclaimed, there is no reason to object.

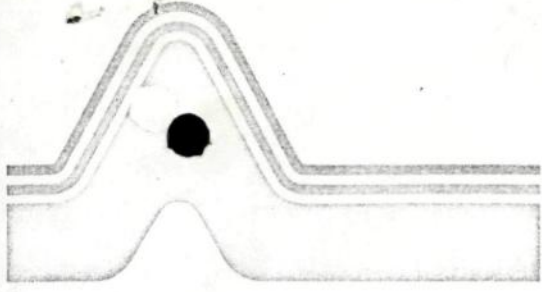
2. Would you please report to the Commission of Crown Lands.

(P.J. McKinlay)
for Secretary for Transport

Encs

Handwritten notes:
Rms
7
27 MAR 1977
S (HRS)

43/64/9/4



DEPARTMENT OF
LANDS AND SURVEY
a century of service
to the land 1876-1976

OUR REFERENCE: 8/5/279
YOUR REFERENCE: 43/64/9/4
VJW
FOR VERBAL ENQUIRIES PLEASE ASK FOR
Mr Peters

P O Box 460
HAMILTON



8 March 1977

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

THAMES SAILING CLUB - KAUAERANGA RIVER

Your memoranda of 7 February and 2 March 1977.

✓ The land applied for by the club is shown edged red on the attached plan and is bounded on the east by private land and on the west by the Kauaeranga River. The land is reclaimed land previously being part of the muddy bank and the Kauaeranga River. It is now well consolidated and metalled.

I trust this information is sufficient to enable you to comment.

R M VELVIN
Commissioner of Crown Lands

per *B. Reynolds*

over
(2012)
POLLEN ST.

THAMES BOROUGH

IV

JELlicOE CRES. (2012)

THAMES BRANCH RLWY

PT 2

Kauaeranga

PT BED OF THAMES HARBOUR
Crown Land

D.P.S 18636

8100 m²

PT KAUAERANGA MUD FLAT BLOCK

2

SURVEY BLK
BOUNDARY

River

PT 2

VII

PT BED OF THAMES HARBOUR AND
PT KAUAERANGA MUD FLAT BLOCK

BLOCK IV & VII THAMES SURVEY DISTRICT SCALE 1 : 1584

LOCAL AUTHORITY THAMES BOROUGH SOUTH AUCKLAND LAND DISTRICT

DRAWN BY J.L.C.	CHECKED BY Log.	DATE 14-4-75	FILE 8/5/279	REF. PLANS	AIR PHOTOS
--------------------	--------------------	-----------------	-----------------	------------	------------



2 March 1977

The Commissioner of Crown
Lands,
Department of Lands & Survey
P. O. Box 640,
HAMILTON.



Attention: Mr Jaques

THAMES SAILING CLUB - KAUAEKURUA RIVER

We note that you have not yet replied to our memoranda of 20 December 1976 and 7 February 1977 seeking information from you so that we could identify the exact location of the land which the sailing club wished to lease and, in particular, whether it was above or below mean high water mark ordinary spring tides.

The purpose of your original enquiry was to establish whether or not we would object.

In order that we might close our file on this matter until you do reply would you please treat this letter as a formal objection to the proposal that the land be leased to the club.

We will be prepared to reconsider our attitude when, but only when, you have answered the points raised by us.

(P. J. McKinlay)
for Secretary for Transport.

Regional Secretary,
AUCKLAND.

[Handwritten signature]
FILE
↙

Attention: Mr Greig
(Your Reference 54/4/202)

... We enclose a copy of a recent memorandum to the Commissioner of Crown Lands in Hamilton. We will hold the plans until we receive a reply from the Commissioner.

*Rms (No enclosure)
JD*

7 MAR 1977

[Handwritten signature]

for Secretary for Transport.

43/64/9/4

FJMCK
DM

20 December 1976

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

Attention: Mr Jaques.

Dear Sir,

THAMES SAILING CLUB - KAUAERANGA RIVER

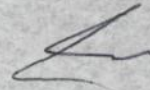
We refer to your recent correspondence with our Auckland office (your ref. 8/5/279).

Our Auckland office has supplied us with a copy of SO Plan 44966 and comments that the land concerned seems to be shown on that plan.

From a perusal of that plan and a comparison with the plan sent to our Auckland office on 29 November 1976, the writer is in some doubt as to whether SO Plan 44966 is indeed the correct reference.

Could you please let me know exactly where the affected land is located, whether it is above or below mean high water mark ordinary spring tides, and if it is above that mark, whether this results from reclamation or otherwise.

Yours faithfully,



(P.J. McKinlay)
for Secretary for Transport

*Harbour
→ Jaques*

Regional Secretary,
AUCKLAND.

Attention: Mr Greig.



For your information - your ref. 54/4/202.

Telephone No: 73-400

Northern Regional Office
Private Bag
AUCKLAND

54/4/202

54/1/453

8/5/279

3 December 1976

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

Attention: Mr Jaques

THAMES SAILING CLUB - KAURENGA RIVER

Your memorandum of 29.11.76 to the District Officer, Ministry of Transport, Hamilton, has been referred to this office which is responsible for the administration of the Foreshores & Waters in the Northern Region.

It would appear that the land in question is that which appears on Survey Office plan 44966 and is to the rear of the Marina licenced by this Ministry to the Thames Sailing Club as MD (N) 108, however, the proposal will be referred to the Secretary for Transport, Wellington for decision and you will be further advised in due course.

Yours faithfully,

D. Greig
for: Regional Secretary for Transport

...../2

Attn: S.E.O. (Hhrs)

No previous correspondence

Enclosed (1) Correspondence and Plan
(2) Copy of MD (N) 108
(3) Copy of S.O. 44966

Please return all plans.

The matter of a lease of dry land would not seem to be of concern to this Ministry but after examining would you please confirm.

The Regional Office file 54/4/202 contains correspondence relating to an application to reclaim tidal land dated 1.9.69 by Thames Borough Council, this application to be included in the Reserve and other Lands Disposal Bill 1969. The reclamation was caused by erection of a stop bank by the Hauraki Catchment Board and a copy of this correspondence is also enclosed.

The land to be leased would appear to be to the rear of the Marina subject to our lease and plan MD (N) 108. Please advise if this Ministry has any interest in such a lease.

D. Greig
for: Regional Secretary for Transport

Borough of Thames

54/4/232

Telephone 405

PLEASE ADDRESS ALL COMMUNICATIONS
TO THE TOWN CLERK



Office of the Town Clerk,
C.P.O. Box 400,
Thames, N.Z.

6 August 1969

The Director-General of Lands,
Department of Lands and Survey,
Box 8003 Government Buildings,
WELLINGTON.

Copy

Dear Sir,

Harbour Reclamation : Land South of Hape Stream

Further to my correspondence with the Chief Surveyor at Hamilton (reference 6/36), I forward herewith two copies of a draft clause which my Council applies to have included in the Reserves and Other Lands Disposal Bill 1969. The Council would greatly appreciate your assistance in endeavouring to ensure that the desired legislation is enacted during the present Session.

Mr M. Dunwoodie, registered surveyor, has delivered the supporting plan to the Chief Surveyor for approval for Parliamentary purposes.

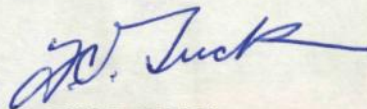
The Hauraki Catchment Board plans to erect a stopbank, the landward boundary of the reserve for which will run from 2 to 4½ chains from mean high water mark along the right bank of the Kauaeranga River. It is respectfully submitted that this reserve and any land remaining on the seaward side of the stopbank will be more than sufficient to satisfy the provisions of section 175A (i)(ii) of the Harbours Act 1950.

When the proposed stopbank is erected it will effectively cut off access to the balance of Section 2 Block VII Thames Survey District, and when the landward boundary of the stopbank reserve has been defined by the Hauraki Catchment Board the Council proposes to have a Land Transfer plan prepared to effect the transfer of the land between the stopbank reserve and the freehold titles of Messrs Campbell Industries Ltd. to that Company. In this connection I would advise that Messrs Campbell Industries Ltd. is one of the major industries in Thames and the Council is anxious to be granted authority to transfer all the available freehold land to the Company to enable it to extend its motor vehicle assembly plant.

It is appreciated that, as the area involved is less than ten acres, authority to reclaim could have been granted to the Council pursuant to an Order-in-Council, but the procedure of applying for authorising legislation has been adopted because such legislation is necessitated by the existing reservations on the Council's title and the Council's lack of authority to obtain and to sell the freehold title to the land.

The Council can certify that the proposed reclamation will not interfere with or restrict any public right of navigation, and is firmly of the opinion that the reclamation, and the freeholding of the land reclaimed, will not unduly interfere with or adversely affect the interest of the public.

Yours faithfully,



TOWN CLERK



(6) This section shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

(7) The land to which this section relates is more particularly described as all that area in the South Auckland Land District containing nine acres two roods and twenty-seven perches more or less being part Section 2, Block VII, Thames Survey District, and being part of the land comprised and described in certificate of title Volume 179, folio 217, South Auckland Land Registry; as more particularly shown on S.O. Plan lodged in the office of the Chief Surveyor at Hamilton, and thereon edged red.

THAMES BOROUGH COUNCIL

DRAFT CLAUSE FOR INCLUSION IN THE
RESERVES AND OTHER LANDS DISPOSAL BILL 1969

Authorising the reclamation of certain land and authorising the Corporation of the Borough of Thames to dispose of certain land.

Whereas by the certificate of title mentioned in subsection (7) of this section the Thames Harbour Board was seized of an estate in fee-simple in the land described in that subsection in trust for the improvement and maintenance of the harbour of the Port of Thames and the construction of such harbour works at the said port as might be deemed advisable by the said Board; And whereas the said land, pursuant to section five of the Thames Harbour Act 1936, is now vested in the Corporation of the Borough of Thames: And whereas the said land is no longer required for the original purposes and the Corporation desires to sell the said land for the purpose of encouraging industry but has no authority to do so; And whereas it is expedient to authorise the Corporation to dispose of the said land: Be it therefore enacted as follows:

- (1) The Corporation is hereby authorised subject to the provisions of sections 176 to 182 of the Harbours Act 1950 to reclaim the land described in subsection (7) of this section.
- (2) From the date of the passing of this Act, on application by the Corporation and without payment of any fee, the District Land Registrar shall remove the trust provisions from certificate of title, Volume 179, folio 217, South Auckland Land Registry, insofar as that title relates to the land described in subsection (7) of this section.
- (3) Notwithstanding anything to the contrary in any Act or rule of law, the corporation may, without other authority than this section, sell, transfer, lease or let the whole or any portion or portions of the land described in subsection (7) of this section in such manner on such terms and subject to such conditions as the Corporation thinks fit.

Provided that no portion of the said land situated below high water mark at ordinary spring tide shall be so sold or transferred except with the prior consent of the Minister of Marine.

Provided also that this section shall not authorise the removal of the trust provisions from, or the sale, transfer, lease or letting of any portion of the land described in subsection (7) of this section to which the provisions of Section 175A (1)(ii) of the Harbours Act 1950 applies.

- (4) The District Land Registrar for the South Auckland Land Registration District is hereby authorised and directed to make such entries in the register and to do all such things as may be necessary to give effect to the provisions of this section.
- (5) The Corporation is hereby empowered from time to time to use and apply all or any of the proceeds arising from such sale, transfer, lease, or letting for any of the purposes of the Corporation.

Borough of Thames

54/4/202

Telephone 405

PLEASE ADDRESS ALL COMMUNICATIONS
TO THE TOWN CLERK
AND QUOTE No.

340



Office of the Town Clerk,
C.P.O. Box 400,
Thames, N.Z.

1 September 1969

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

Dear Sir,

Harbour Reclamation : Land South of Hape Stream

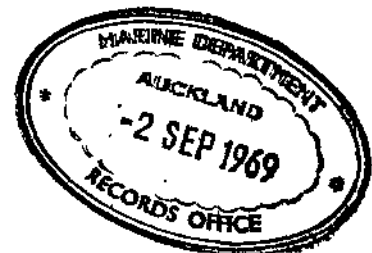
Further to our telephone conversation of today, I forward herewith a copy of the draft clause for inclusion in the Reserves and Other Lands Disposal Bill 1969, together with a copy of the covering letter which was sent to the Director-General of Lands on 6 August 1969.

A copy of this covering letter was also sent to the Secretary for Marine on 6 August 1969.

Yours faithfully,

TOWN CLERK

For an advice only



Borough of Thames

Telephone 405

PLEASE ADDRESS ALL COMMUNICATIONS
TO THE TOWN CLERK
AND QUOTE No. 340



Office of the Town Clerk,
P.O. Box 400,
Thames, N.Z.

29 August 1969

The Secretary,
Marine Department,
P.O. Box 1254,
AUCKLAND.

Dear Sir,

Harbour Reclamation - Land South of Hape Stream

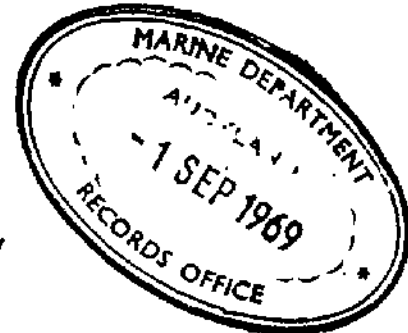
In accordance with the provisions of Section 175B
of the Harbours Act 1950 I forward herewith a copy of Plan
44966.

Endowment?
Yours faithfully,

F.G. Tuck

TOWN CLERK

Per *[Signature]*



- ① *ENTIRETY OF P/SUARE*
- ② *USE OF RECLAMATION*
- ③ *PLANS REQUIRED*
- ④ *METHOD - FILL*
BUTTER

*Ray M Tuck, plans already with
H/O this copy for my records only.*