

Internal Memo

To: Craig Harris
Deputy Commissioner of Crown Lands

From: Hong Mei Pang
Portfolio Manager

Date: 4 November 2014

Subject: **Status Report: Otaki Beach adjoining Marine Parade
from Waitohu Stream to Otaki River mouth**

Purpose To seek your agreement as to both the status and the administering authority for Otaki Beach adjacent to Marine Parade from the Waitohu Stream in the north (A) to the Otaki River mouth in the south (H) as shown in Annex A.

Reference The status report dated 8 October 2014 is an addendum to the first status report dated 30 July 2014. Both reports were prepared by RMAC Services Ltd. DCCL approved the conclusion in the first status report on 29 August 2014.

Background The first status report dated 30 July 2014 was sought arising from an Official Information Act request on the ownership and interest to carry out beautification works on the land adjacent to Marine Parade between Tasman Road and Koromiko Street. A copy of this status report was extended to the requester and Kapiti Coast District Council. Subsequently, the Council informed us that they are interested to take over all the areas in red and green as shown in Annex B. As a result, a second status report was done to cover the new areas. The boundary of the land status investigation was extended to cover slightly more than what the Council has identified in anticipation of future development plans along the rest of Otaki Beach.


Comment The seabed out from the roads (Marine Parade and Atkinson Ave) and various property boundaries was subject to tidal action. There is no evidence that the land shaded red to the line of Mean High Water Springs mark has ever been alienated from the Crown nor has it been allocated to any other Crown Agency. Most of the area could be claimed as accretion but there is no evidence of any such claim. Therefore, it remains as Crown Land under the Land Act 1948 pursuant to Section 13(3) of the Marine and Coastal Area Act 2011.

The latest status report is compliant with LINZS45000 – Standard to determine authority to act and record Crown land, and that the conclusion reached is correct.

The report also provides an assessment of the areas which may be claimed by adjoining owners. This is not discussed here as the purpose of this memo is to seek approval on the status of land as Crown land. A copy of this report will be forwarded to the Council to facilitate their accretion application.

Recommendation That you agree that the land shaded red in Annex A (with no legal description) is Crown Land under the Land Act 1948 and lies within the jurisdiction of the Commissioner of Crown Lands.

Decision: Approved/~~Not Approved~~



Craig Harris
Deputy Commissioner of Crown Lands

Date 10 November 2014

9 October 2014

Hong Mei Pang
Portfolio Manager
Crown Property Management
LINZ
PO Box 5501
Wellington

Status of Otaki Beach

Mei

My report of 30 July refers. You asked to extend the area considered to that length of beach between A and H on the attached plan.

The sea bed out from the established property and road boundaries, as shown red on the attached plan, was subject to tidal action and such areas have always been considered to be Crown Land. The Resource Management Act 1991 established a Coastal Marine Area with the landward boundary as Mean High Water Springs (MHWS). Subsequent legislation, The Foreshore and Seabed Act 2004 and the Marine and Coastal Area Act 2011 (MACAA) adopted the line of MHWS as the boundary. MACAA also declared, in general, that lands below that line were incapable of ownership and section 13 deals with boundary changes by accretions or erosions.

There is no evidence that the land between the established road and property boundaries and the line of MHWS has ever been alienated from the Crown; nor has it been allocated to any other Crown Agency. It therefore remains as Crown Land under the Land Act 1948.

It is noted that the control of the foreshore between A and B was vested in the Otaki Borough Council by Gazette 1939 p. 1444. The vesting was for a period of 21 years and there is no evidence that the period was extended or renewed.

The problem here is that the position of the line of MHWS is not known. If it approximates the line of vegetation shown on aerial imagery, then there has clearly been some accretion action. There are areas which could be claimed by the abutting roads and properties and an assessment of those areas is set out below. The common law presumption of *usque ad medium filum aquae* (AMF) does not apply to tidal waters.

Assessment of Areas which may be subject to Accretion Claims

A - B

Abutted by Part Taumanuka 3 held in CT WN18C/511 by the Otaki Borough Council. Both the survey plan and title depict a common, ambulatory boundary with the sea defined on DP 2187 as "mean high water mark for purposes of accretion".

Could be claimed

B - C

Abutted by Lots 5 - 8 DP 25180 with the boundaries of those lots Right-lined. They do not, therefore, have a common ambulatory boundary with the sea.

Cannot claim

C - D

Abutted by legal road. As stated in my earlier report, the road has a common, ambulatory boundary with the sea.

Could be claimed

D - E

Abutted by Sec. 19 SO 27713 which depicts a common ambulatory boundary with the sea.

Conservation Land allocated to Dept. of Conservation.

*Could be claimed **

E - F

Abutted by Sec. 2 SO 26998 which depicts a common ambulatory boundary with the sea. Reserved and vested in the Otaki Borough Council by Gazette 1969 p.959

*Could be claimed **

F - G

Abutted by Lot 1 DP 29368 which depicts a common ambulatory boundary with the sea. Vested in the Otaki Borough Council on deposit of the plan.

*Could be claimed **

G - H

Abutted by legal road with a common ambulatory boundary with the sea.

Could be claimed

H - I

Abutted by Sec. 1 SO 36824, held in CT 36824 by HMQ as a Soil Conservation Reserve and listed in NAPALIS. The common boundary with the sea is "mean high water mark" but appears to be right-lined on the plan. The area is utilised by the Wellington Regional Council for river control works.

*Could be claimed **

It should be noted that the common law right to claim accretion pertains to the abutting land owner.

Those comments marked * denote uncertainty. While there is no legal barrier to such claims they would be highly unusual. e.g. E - F would be one crown agency claiming against another.

There is also some uncertainty over whether accretion to roads needs to be claimed or whether the accretion automatically becomes road under the Local Government Act. That issue is currently being addressed by Mr. B. Mulholland of LINZ, although there is a consensus that a survey definition of the accretion is a minimum requirement.

With reference to the plan supplied by the Kapiti Coast District Council:-

The land shown red is currently Crown Land under the Land Act.

The land shown green is Conservation Land

The land shown blue is a reserve vested in the Council

The land shown yellow is a reserve vested in the Council



RK McLeod MNZIS

Attached - copies of data and plans



Any person wishing to rely on the information shown on this map must independently verify the information
Scale 1:10000 Topographical and Cadastral map derived from LINZ data. Printed: 9/10/2014 13:49.



Google earth

miles
km

1 2





Google earth

miles
km

1 2





New Zealand Legislation

Marine and Coastal Area (Takutai Moana) Act 2011

• Warning: Some amendments have not yet been incorporated

13 Boundary changes of marine and coastal area

- (1) This Act (other than [section 11\(4\)](#)) does not affect any enactment or the common law that governs accretions or erosions.
- (2) However, if, because of a change caused by a natural occurrence or process, any land, other than a road, that is owned by the Crown or a local authority becomes part of the marine and coastal area, then that land becomes part of the common marine and coastal area (even if that land consists of or is included in a piece of land defined by fixed boundaries).
- (3) If land has, because of a change caused by a natural occurrence or process, ceased to be part of the common marine and coastal area, and the title to that land is not determined by an enactment or the common law, then the land vests in the Crown as Crown land and is subject to the [Land Act 1948](#).

References

Prior C/T 140/209

Transfer No.

N/C. Order No. 193771.2

Land and Deeds 69



REGISTER

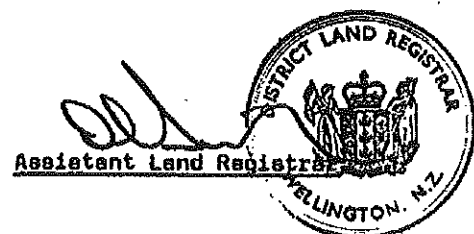
No. 18C / 511

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 1st day of March one thousand nine hundred and seventy-eight under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that EILEEN JOAN KNOX of Otaki, Widow (1050.797 shares) ETHEL MILTON KNOX, Widow (404.541 shares) NINA MARGARET LOUISE KNOX, Consultant, both of Auckland (404.541 shares) and FREDERICK BRUCE KNOX of Lower Hutt, Physicist (404.541 shares) as tenants in common in the said shares are

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 5.6391 hectares more or less situate in the Borough of Otaki being part Taumanuka 1A3

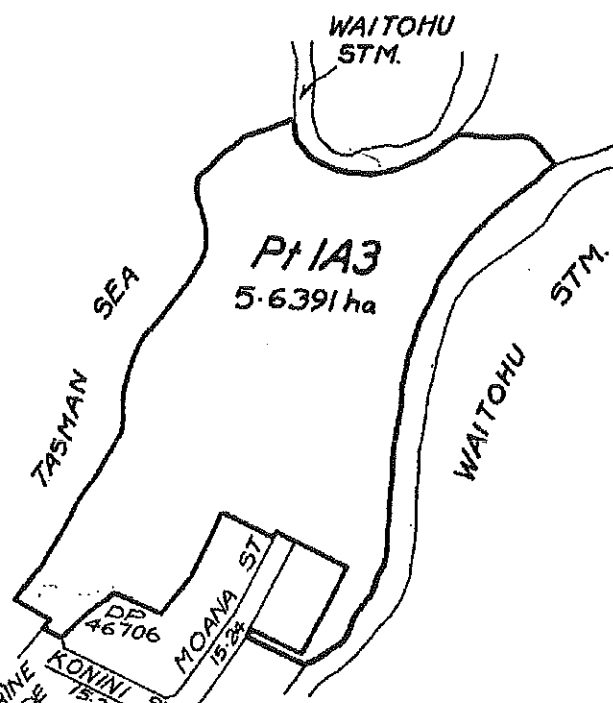


Subject to Power Easement (in gross) over the part marked "B" on Plan 41369 in favour of the Horowhenua Electric Power Board created by Transfer 071626.5 (Subject to Section 351E(a) Municipal Corporations Act 1954)

Transmission 528873.1 of the share of Ethel Milton Knox to Nina Margaret Louise Knox as Executrix - 24.11.1982 at 9.55a.m.

Transfer 528873.2 of the share acquired by transmission 528873.1 to Nina Margaret Louise Knox of Auckland, Consultant; Frederick Bruce Knox of Lower Hutt, Physicist as tenants in common in equal shares - 24.11.1982 at 9.55 a.m.

651813.1 Transfer to Otaki Borough Council - 19.10.1984 at 1.41 p.m.



Measurements are Metric
ML 5067

No. 18C / 511

FIRST SCHEDULE.

THAT portion of the foreshore at Otaki commencing at the mouth of the Waitohu Stream, and extending generally southwards to the mouth of the Otaki River.

SECOND SCHEDULE.

1. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.

2. In these conditions the term "foreshore" means all land between high-water mark at ordinary spring tides and low-water mark at ordinary spring tides.

3. The concessions and privileges conferred by this Order in Council shall extend and apply only to that part of the foreshore commencing at the mouth of the Waitohu Stream and extending generally southwards to the mouth of the Otaki River.

4. His Majesty or the Governor-General, and all officers in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress out and over the said foreshore without payment.

5. Nothing herein contained shall authorize the Council to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, 1923, or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

6. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph-cables that are at present or may be at any time laid down within the said area of foreshore.

7. The Council may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by by-law fix a charge for admission to such enclosed part or parts, provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

8. The Council may, subject to the provisions of section 171 of the Harbours Act, 1923, erect, or license, or permit the erection of bathing-sheds or boat-sheds on the foreshore described in the First Schedule hereto, and may make by-laws regulating the use thereof, and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the public.

9. Nothing herein contained shall authorize the Council to remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

10. By-laws made by the Council under the said Act in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the date hereof, unless, in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the Council three calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister, and delivered at or posted to the last-known address of the Council in New Zealand.

C. A. JEFFERY,
Clerk of the Executive Council.

Open Seasons for the taking or killing of Opossums in certain
Acclimatization Districts.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of May, 1939.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance of the powers and authorities conferred upon him by the Animals Protection and Game Act, 1921-22, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order and declare that opossums may be taken or killed within the acclimatization districts specified in the Schedule hereto, except in any sanctuary other than a scenic reserve, subject in all cases to the general regulations made by Order in Council dated the twenty-fourth day of May, one thousand nine hundred and thirty-four, and to the special conditions specified in connection with each district.

SCHEDULE.

BULLER ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 749.)

1. Area where opossums may be taken: That portion of the district lying south of a line drawn from the mouth of the Waimangaroa River on the west to Bald Hill in the Lyell Range on the east.

2. Season: Noon on 1st July to noon on 1st August, 1939 (inclusive).

3. License fee: £2.

4. Officers authorized to issue trappers' licenses: Chief Postmaster, Westport; Postmaster, Ikamatua.

EAST COAST ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 749.)

1. Season: Noon on 1st July to noon on 1st September, 1939.

2. License fee: £2.

3. Officer authorized to issue trappers' licenses: Chief Postmaster, Gisborne.

GREY DISTRICT ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 750.)

1. Season: Noon on 1st July to noon on 1st August, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Chief Postmaster, Greymouth; Postmasters, Blackball, Brunner-ton, Moana, Nelson Creek, Ngahere, Runanga, Stillwater, and Totara Flat.

HAWERA ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 750.)

1. Season: Noon on 1st June to noon on 1st August, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Postmasters, Patea, Hawera, Normanby, and Eltham.

HAWKE'S BAY ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 750.)

1. Season: Noon on 20th July to noon on 1st September, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Chief Postmaster, Napier; Postmasters, Dannevirke, Tikokino, and Puketitiri.

LAKES DISTRICT ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 62 of 9th August, 1934, at page 2451.)

1. Season: Noon on 1st July to noon on 1st September, 1939 (inclusive).

2. License fee: £2.

3. Officer authorized to issue trappers' licenses: Postmaster, Queenstown.

NORTH CANTERBURY ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 68 of 28th September, 1933, at page 2463.)

1. Season: Noon on 1st July to noon on 1st August, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Chief Postmaster, Christchurch; Postmasters, Little River, Rangiora, and Akaroa.

OTAGO ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 17 of 12th March, 1925, at page 751.)

1. Season: Noon on 1st July to noon on 1st August, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Chief Postmaster, Dunedin; Postmasters, Milton, Clinton, Owaka, Tahakopa, Romahapa, Tapanui, Wyndham, and Waikaka.

ROTORUA ACCLIMATIZATION DISTRICT.

(As described in *New Zealand Gazette* No. 46 of 20th June, 1929, at page 1721.)

1. Season: Noon on 1st July to noon on 1st August, 1939 (inclusive).

2. License fee: £2.

3. Officers authorized to issue trappers' licenses: Under-Secretary of the Department of Internal Affairs, Wellington (or any person authorized by such Under-Secretary in that behalf).

Recreation Reserve in North Auckland Land District brought under Part II of the Public Reserves, Domains, and National Parks Act, 1928.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of May, 1939.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

BY virtue of the powers and authorities vested in me by the thirty-fourth section of the Public Reserves, Domains, and National Parks Act, 1928, I, George Vere Arundell, Viscount Galway, Governor-General of the Dominion of New Zealand, by and with the advice and consent of the Executive Council of the said Dominion, do hereby order and declare that the reserve for recreation in the North Auckland Land District described in the Schedule hereto shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of Part II of the said Act, and such reserve shall hereafter be known as the Mangatete Domain, and be managed, administered, and dealt with as a public domain.

SCHEDULE.

NORTH AUCKLAND LAND DISTRICT.

SECTION 10, Block III, Takahue Survey District: Area, 5 acres 2 roods 4 perches, more or less.

C. A. JEFFERY,

Clerk of the Executive Council.

(L. and S. 1/1021.)

Vesting the Control of a Reserve in the Strath Taieri Soldiers' Memorial Board.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of May, 1939.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the land described in the Schedule hereto has been duly set apart for a site for a war memorial:

And whereas it is expedient that the control of the said reserve should be vested in a special Board as hereinafter provided:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in exercise of the powers and authorities conferred upon him by section seventeen of the Public Reserves, Domains, and National Parks Act, 1928, doth hereby vest the control of the reserve described in the Schedule hereto, for the period of five years from the date hereof (unless previously amended or revoked under the said Act), in the undermentioned persons, namely,—

Francis Mortimer Howell,
John Scott Elliot,
William Simson Williams,
Douglas Bruce Craighead,
John Edward James,
James Alexander Kirkland, and
Frank Pedofsky,

who are hereby constituted for that purpose a special Board by the name of the Strath Taieri Soldiers' Memorial Board (hereinafter referred to as "the Board"), with the powers and subject to the conditions hereinafter contained, that is to say:—

1. The Board shall meet for the transaction of business at the Public School, Middlemarch, or at such other place and at such time as may be from time to time fixed by the Board. The first meeting shall be held on Saturday, the twenty-seventh day of May, one thousand nine hundred and thirty-nine, at two-thirty o'clock p.m.

2. The members of the Board shall at their first meeting, and thereafter at the annual meeting hereinafter mentioned, elect one of themselves to be Chairman, who may join in the discussion, and shall have an original as well as a casting vote. The Chairman shall hold office until the election of his successor.

3. Special meetings may be convened by the Chairman, provided that two days' notice of such meeting be given to each member specifying the business to be transacted at such special meeting; and no other business than that so specified shall be transacted at such meeting.

4. Any four members of the Board shall form a quorum. Any meeting may be adjourned from time to time.

5. If at any meeting the Chairman is not present at the time appointed for holding the same, the members present shall choose one of their number to be Chairman of such meeting.

6. If by resignation, death, incapacity, or otherwise the seat of any member shall be or become vacant, or if any member absents himself, without reasonable cause, from three consecutive meetings of the Board, the Governor-General shall have power to appoint any other person to be a member of the Board in his stead.

7. All questions shall be determined by a majority of votes of the members of the Board present at a meeting.

8. The Board shall have prepared and submitted at an annual meeting held in the month of April in each year a report of the proceedings of the Board for the previous year ending on the thirty-first day of March, together with a statement of the receipts and expenditure of the Board for such year. A copy of every such report and statement, certified by the Chairman to be correct, shall be sent to the Minister of Lands as soon as possible after each annual meeting.

SCHEDULE.

ALL that area in the Otago Land District, containing by admeasurement 1 rood 30.3 perches, more or less, being Lots 1 and 2, Block V, Township of Middlemarch, being part of Section 71, Block IX, Strath Taieri Survey District, and bounded as follows: Towards the north by a public road, 306.3 links; towards the south-east by Lot 3, 213.3 links; towards the south-west by Lot 10, 269.2 links; towards the north-west by a public road, 102.7 links, to the point of commencement: Be all the aforesaid linkages more or less. As the same is more particularly shown on the plan marked L. and S. 22/3915, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon edged red.

C. A. JEFFERY,

Clerk of the Executive Council.

(L. and S. 22/3915.)

Vesting the Control of Part of the Foreshore at Otaki in the Otaki Borough Council.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 2nd day of May, 1939.

Present:

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

WHEREAS it is enacted by section one hundred and fifty-eight of the Harbours Act, 1923 (hereinafter called "the said Act"), that where the foreshore outside the limits of a harbour is not vested in any Harbour Board or other local authority, the Governor-General may, by Order in Council, grant for a period not exceeding twenty-one years, the control of such part or parts thereof as he thinks fit in any local authority, Domain Board, or persons acting as trustees for the inhabitants of the locality, upon such conditions as may be prescribed in the Order:

And whereas the foreshore hereinafter described is not vested in any Harbour Board or other local authority, and the Otaki Borough Council (hereinafter called "the Council") has applied to the Governor-General in Council for the control thereof:

And whereas it is desirable that the control should be granted to the Council:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said Act, and acting by and with the advice and consent of the Executive Council, doth hereby grant to the Council the control of the foreshore as described in the First Schedule hereto, and subject to the terms and conditions set forth in the Second Schedule hereto.

LAND TRANSFER OFFICE

Received
Title Reference
Referred to L.T. Surveyor

21871

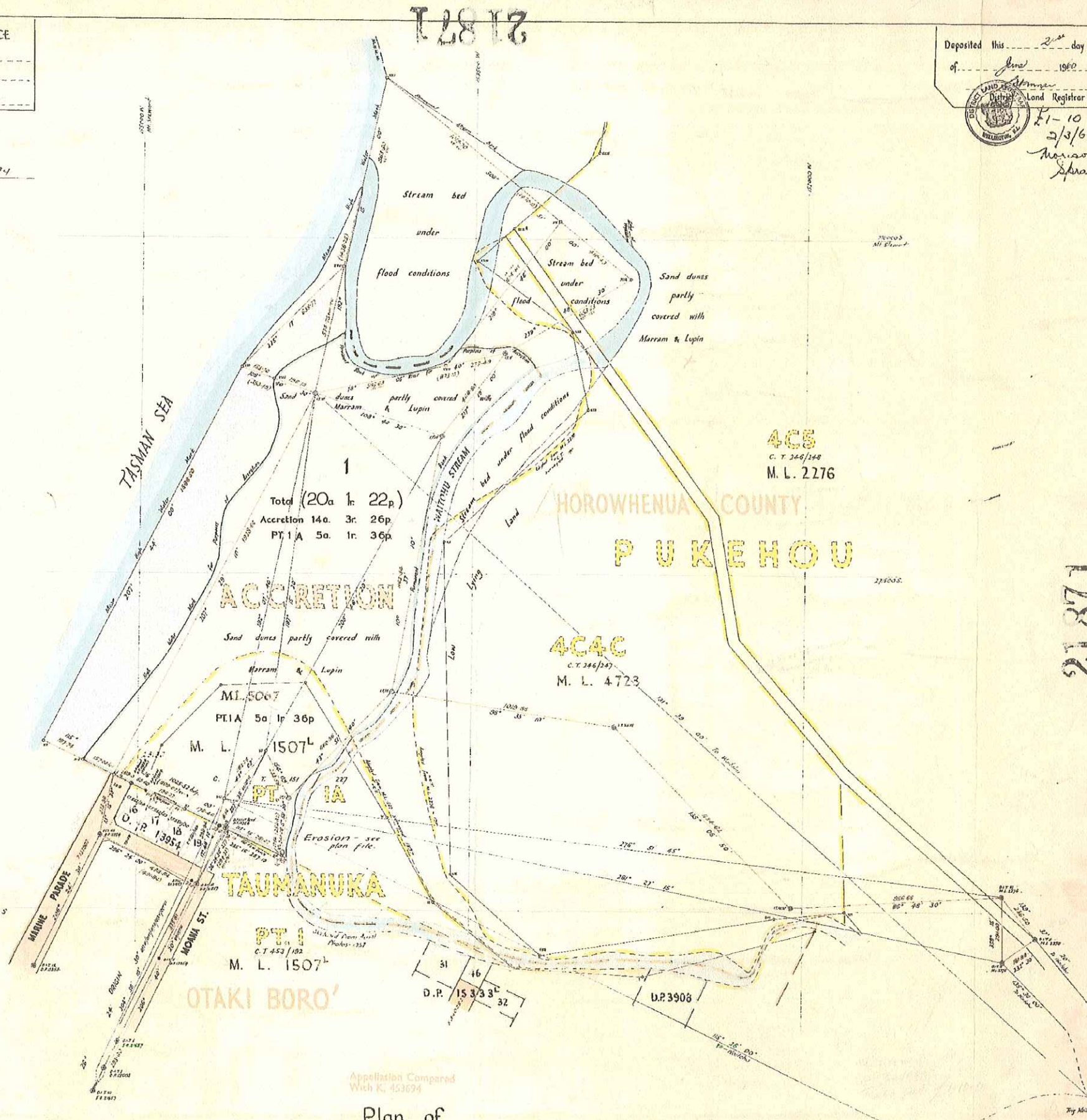
Lot 1 C.T. Ref 701 74

Deposited this 2nd day
of June 1960



1-10
2/3/60

Morrison
Sparrow



21871

21871

Approved as to Survey
Chief Surveyor 11/7/54
Received
Reference Plans - 20.3497.02.13.14
Field Book - 185 - p.240-242
Traverse Book - 120 - p.242-243
Examined by J.B. 180.400.3078.2.3.4.5
Recorded - 0.1.1.1.2 - 2.1.1.1.1
Corrected - 0.1.1.1.1 - 2.1.1.1.1
L.T. SURVEYOR

Plan of
Part Taumanuka No 1A and Accretion thereto.

BLOCK V WAITOHU S.D. WELLINGTON LAND DISTRICT. OTAKI BOROUGH.
SCALE: 2 CHAINS TO AN INCH. SURVEYED BY MESSRS FOSTER & FOSTER. OCTOBER 1959.

I, Stuart Robertson Foster of Levin, Registered Surveyor and holder of an annual practicing certificate, do solemnly and sincerely declare that this plan has been made from surveys executed by me that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act 1938.

And I make this solemn declaration, conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at 11.11.1959 this 17th day of November 1959.

Stuart Robertson Foster
Surveyor

Approved

Applicant or Registered Owner

Robert H. Knox
Bruce M. Knox
P. J. Knox
C. J. Knox
W. J. Knox
J. J. Knox

21871

Land Transfer Office
Received PLAN 25180 (10-10-63)
Title Reference 901/94 (ST)
MOREISON T. 25-10-63

310 Referred to L. T. Surveyor 10-10-1963

25180

- LOTS
- 1 D1-831
 - 2 D3-1176
 - 3 D3-1323
 - 4 C4-574
 - 5 C4-1063
 - 6 E1-358
 - 7 C4-1105
 - 8 C4-1106
 - 9 D1-832
 - 10 D3-1175
 - 11 C3-1008
 - 12 F2-251
 - 13 6A-71
 - 14 6A-71
 - 15 Dedn 583528

25180

08192

Deposited this 10 day of 1963
District Land Registrar

TAUMANUKA

1A3

M.L. 5067

08192

SUBDIVISION OF TAUMANUKA 1A3

Total Area: 2a. 3r. 09.1p.

Approved as to Survey

Chief Surveyor
Received
Reference plans
Field book
Traverse book
Examined by
Recorded
Correct

Comprised in C.T. 901/94 Pt.
Survey Block & District V WAITOHU
Land District WELLINGTON Local Body OTAKI BOROUGH
Scale 80 links to an Inch Surveyed by Foster & Assoc. Date April 1963
Declared at this day of 1963
Justice of the Peace

Approved
Bruce M. Knox
Applicant or Registered Owner

25180

4384

HOROWHENUA COUNTY

4384

Received at Land Transfer Office
Wellington this 6 December 1917

FRONTAGE MINIMUM
40 FEET.

The Tasman Sea

Taumanuka 1A

PT TAUMANUKA N°1 BLK

113-0-2

CHURCH

MISSION GRANT

NOTE: The town comprises portions enclosed within
Green border not including roads or streets
The land within the plan, and included in
the block, comprises the town as here defined, together
with lots 53, 54 and 55 to be allocated to the King for public
roadway, and all the land surrounded by a
green border and coloured burnt-sienna.

Taumanuka 2B

Oraki Town Board District

Taumanuka 2A N°2

PLAN OF

TOWN OF OTAKI EXTENSION N°5

BEING PT TAUMANUKA N°1 BLK - BLK VIII WAITOHU S.D.

Surveyed by

Frank Bennett Licensed Surveyor

JULY 10 1916

Scale 3 Chains to an Inch

Ref Plans: - W 21507
DP 3267
DP 3480

4384

I, Frank Bennett of the said County of Horowhenua, do hereby certify that this plan has been made from surveys
conducted by me for the purpose of the said extension, and that the same are correct and have been made in
accordance with the regulations of the Surveyors' Board dated the 24th day of August 1907.
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statute in that behalf
enacted, and in full view of the provisions of the Statute in that behalf enacted, and in full view of the provisions of the Statute in that behalf enacted.
Witness my hand and seal this 10th day of July 1916.

For Governor's Approval see D/245

Approved

Approved

Chief Surveyor

TWO

BOROUGH

LEGALISATION NOTE
Land coloured Grey, and Blue, hereon, proclaimed
as Street, in pursuance of Section 12 of the Land
Act, 1924.
N.Z. Gaz. No. 50, of 7-7-1938, p. 1537. Proc. 2701
Notice of intention to take roads 10-29, 29-50, as reserved, Dec. 1934 p. 1004
Taken for Street 10-50: 29-50. Gaz. 1954 p. 2066

Diagram №1 Not to scale.

Now
 19
 277100
 19

Diagram №2 Sc. 50 links to an inch.

Reference Plans.
W.D. 1507, 3680, 3684, 3737, 3070, 4884.
D.P. 5774, 6678

10/1/70
 Interim Report to 9/107
 Field No. 3343
 Transcription Date 6 VIII
 Date of transcription 194
 Date of transcription 6 X 1970

Plan of

Land required for Street, being part Old Sea Bed, adjoining Taumanuka Blocks Nos. 32, 3A, and 2B, Rangluru Road and Marine Parade, Block VIII, Waitohu S. D.

Surveyed by C.W. Foster, Registered Surveyor, August, 1937.

Scale : 2 chains to an inch.

I, Charles William Foster of Levin, Registered Surveyor, hereby certify that this plan has been made from surveys executed by me; that both plan and survey are correct, and have been made in accordance with the rules of the Survey Board.

Dated at Levin this 7th day of September 1937.

C. H. H. H.
Registered Surveyor

In pursuance of a resolution passed by the Otaki Borough Council on the 24th day of September, 1937 approving the plan of the proposed new road shown hereto, the Common Seal of the Mayor, Councillors and Burgesses of the Otaki Borough was herewith affixed on the 15th day of September, 1937 in the presence of:-

Harold F. E. Cockrell
Councillor

John McCall
Councillor.

Hearts Town Clerk

I certify that all hanging lines have been determined by two independent measurements of bearing and distance.

C. W. White Registered Surveyor

Approved

J. D. Clapperton

Chief Surveyor.
15.11.37

Search...

Map

Otaki Conservation Area

Otaki Conservation Area
Conservation Act 1987
s.25 - Stewardship Area

X: 1778320
Y: 5487112

© Geographx, © CNES 2004-2010/SPOT Image, Sourced from NZTopo. Crown Copyright Reserved

REFERENCE

1. New Zealand Gazette, 1952, No. 11, p. 1111.
 2. New Zealand Gazette, 1952, No. 11, p. 1111.
 3. New Zealand Gazette, 1952, No. 11, p. 1111.
 4. New Zealand Gazette, 1952, No. 11, p. 1111.
 5. New Zealand Gazette, 1952, No. 11, p. 1111.
 6. New Zealand Gazette, 1952, No. 11, p. 1111.
 7. New Zealand Gazette, 1952, No. 11, p. 1111.
 8. New Zealand Gazette, 1952, No. 11, p. 1111.
 9. New Zealand Gazette, 1952, No. 11, p. 1111.
 10. New Zealand Gazette, 1952, No. 11, p. 1111.

NOTIFICATION

1. The land shown on this map is the land of the Crown.
 2. The land shown on this map is the land of the Crown.
 3. The land shown on this map is the land of the Crown.
 4. The land shown on this map is the land of the Crown.
 5. The land shown on this map is the land of the Crown.
 6. The land shown on this map is the land of the Crown.
 7. The land shown on this map is the land of the Crown.
 8. The land shown on this map is the land of the Crown.
 9. The land shown on this map is the land of the Crown.
 10. The land shown on this map is the land of the Crown.

**PLANS FOR SURVEY, DEVELOPMENT AND
 ASSIGNMENT OF RIGHTS**

1. The land shown on this map is the land of the Crown.
 2. The land shown on this map is the land of the Crown.
 3. The land shown on this map is the land of the Crown.
 4. The land shown on this map is the land of the Crown.
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 7. The land shown on this map is the land of the Crown.
 8. The land shown on this map is the land of the Crown.
 9. The land shown on this map is the land of the Crown.
 10. The land shown on this map is the land of the Crown.

Certified as correct for the purpose
 of Section 52, Conservation Act
 1907.

G. J. G. G.
 1952

See Enlargement Sheet

**NEW ZEALAND STATISTICAL MAP
 1952**

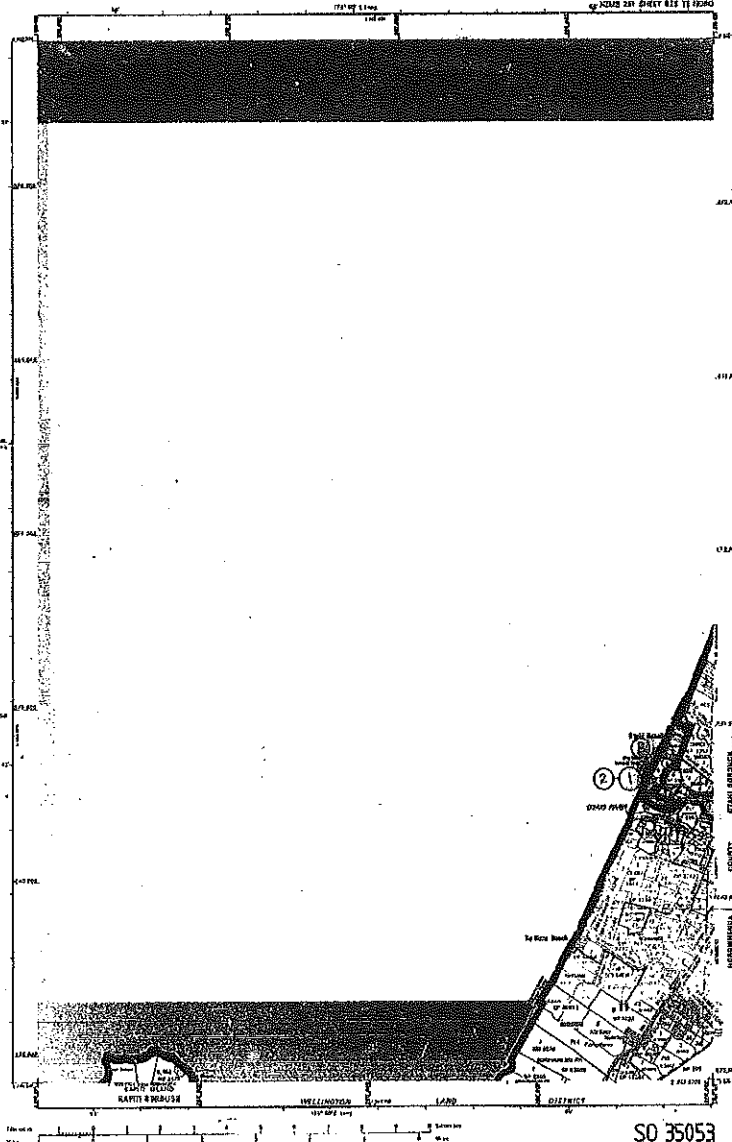
Published by the Department of Statistics,
 Wellington, New Zealand.
 Price 10/-

**NEW ZEALAND STATISTICAL MAP
 1952**

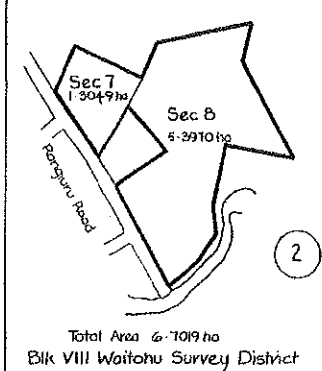
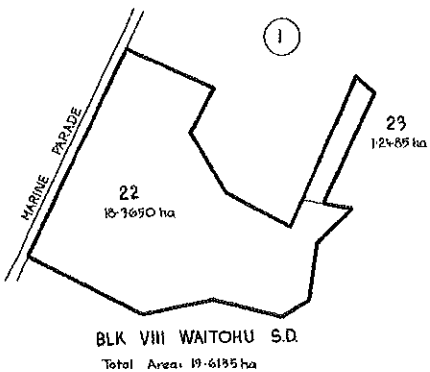
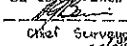
Published by the Department of Statistics,
 Wellington, New Zealand.
 Price 10/-

**NEW ZEALAND STATISTICAL MAP
 1952**

Published by the Department of Statistics,
 Wellington, New Zealand.
 Price 10/-



SO 35053

  <div data-bbox="1023 619 1098 693"></div>		<div>Aspersch</div> <div>Certified as correct for the purpose of Section 62, Conservation Act 1987.  Chief Surveyor 24/4/87</div> <div>Total Area</div> <div>Comprised in</div> <div><small>I, <u>Engelwood Surveys</u> and <u>Adrian</u> of <u>an official</u> <u>profession</u> <u>certified</u> for who may act as a registered surveyor pursuant to the provisions in section 21(2) of the Survey Act 1980 hereby certify that this plan has been made from surveys conducted by me or under my direction, that both the said survey are correct and have been made in accordance with the Survey Regulations 1982.</small> Signed at _____ on _____ day of _____ at _____ by _____ Signature _____ Full Name _____ Date _____ Reference Name _____ Examined _____ Approved as to Survey _____ Deposited this _____ day of _____ 19____ District Land Registrar File Received _____ District _____</div>	
LAND DISTRICT SURVEY BLK. & DIST. NZMS 261 SH1 RECORD MAP No		ENLARGEMENT SHEET R25 Sheet 1 of 1 TERRITORIAL AUTHORITY Surveyed by _____ Scale Not to Scale Date _____	

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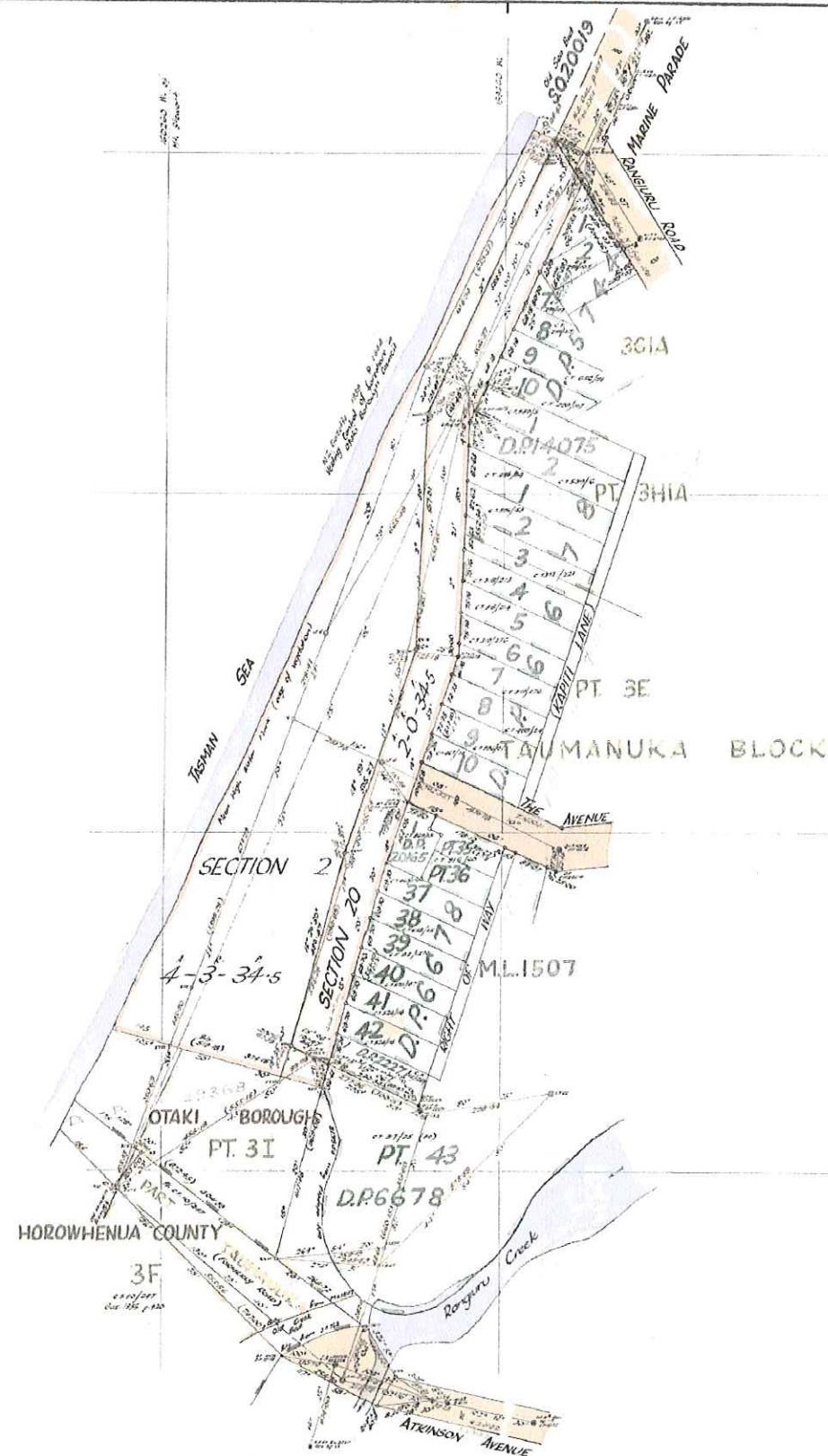
Wellington Land District

Allocation Number	NZMS 261 Reference	SO Number	Legal Description	Area (Ha)	Sub Rec	Background Notes	Allocation To
✓ 166	S19/48	35058	Stopped road, Block XIV, Tongariro Survey District.	0.0961		Abutts Tongariro National Park.	Department of Conservation.
✓ 167	S19/49	35058	Stopped road, Block XIV, Tongariro Survey District.	0.2610		Abutts Tongariro National Park.	Department of Conservation.
✓ 168	S19/50	35058	Stopped road, Block XIV, Tongariro Survey District.	0.5837		Abutts Tongariro National Park.	Department of Conservation.
✓ 170	S19/51	35058	Stopped road, Block XIV, Tongariro Survey District.	0.1189		Abutts Tongariro National Park.	Department of Conservation.
✓ 171	122/18	35070	Section 18, Block IV, Unutoi Survey District.	0.2023		Ex gravel reserve.	Department of Conservation.
✓ 175	122/19	35070	Section 42, Block VII, Unutoi Survey District.	0.8094		Ex gravel reserve.	Department of Conservation.
✓ 177	123/11	35071	Stopped road, Block X, Unutoi Survey District.	8.6400		Regenerating bush. Abutts Rushing State Forest Park. Now Sec 1 SO 34256 and Sec 1 SO 34255	Department of Conservation.
✓ 183	R25/2	35053	Sections 7 and 8, Block VIII, Waitohu Survey District.	6.7019		Open land. Ex children's health camp. Adjacent to other Department of Conservation land.	Department of Conservation.
✓ 184	R25/3	35053	Section 19, Block VIII, Waitohu Survey District.	1.2773		Coastal land.	Department of Conservation.

(report 1249299 } 1249391
 & 1249302

26998

26998



TOTAL AREA = 7-0-29

26998

PLAN OF SECTIONS 2 & 20, BLOCK VIII WAITOHU SURVEY DISTRICT.

SURVEY BLOCK & DISTRICT: VIII WAITOHU

LAND DISTRICT: WELLINGTON

LOCAL BODY: OTAKI BOROUGH

Scale: 150 links to an inch. Surveyed by Foster & Foster

Date: October, 1967

Received..... 16. 11. 67
 File..... 16. 11. 67
 Instructions..... 16. 11. 67
 Reference Plans..... 16. 11. 67
 Field Book..... 16. 11. 67
 Traverse Book..... 16. 11. 67
 Examined by..... 16. 11. 67
 Recorded..... 16. 11. 67
 Plan in order for approval.....

I, Shawn Robert Foster of Levin Registered Surveyor and holder of an annual practising certificate, hereby certify that this plan has been made from surveys executed by me; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act, 1966.
 Dated at Levin this 20th day of October 1967

S. Foster
 Registered Surveyor.

Approved.....
Chief Surveyor
 This space reserved for plan number

26998

L&S - N17 : Card 1 of 1 : Land District ; *WELLINGTON* S.O. Plan No. 26998

[illegible]

*Change of the Purpose of a Reserve and Vesting in the
Taumarunui County Council*

PURSUANT to the Reserves and Domains Act 1953, the Minister of Lands hereby changes the purpose of the reserve described in the Schedule hereto from a reserve for a public library and hall to a reserve for recreation purposes; and, further, vests the said reserve in the Chairman, Councillors, and Inhabitants of the County of Taumarunui, in trust, for recreation purposes.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—TAUMARUNUI COUNTY
SECTION 5, Block XIII, Tuhua Survey District: area, 2 roods 36 perches, more or less. (S.O. Plan 17228.)

Dated at Wellington this 15th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 1913/742; D.O. 8/3/247)

*Revocation as to Part of a Declaration That Private Land be a
Private Historic Reserve*

PURSUANT to the Reserves and Domains Act 1953, the Minister of Lands hereby revokes the notice published in *Gazette*, 9 July 1964, Volume II, page 1113, declaring private land to be a private historic reserve, in so far as it relates to the land described in the Schedule hereto.

SCHEDULE

MARLBOROUGH LAND DISTRICT

ALL that piece of land situated in Block XII, Patriarch Survey District, containing 3 roods 17.9 perches, more or less, being part Section 7, Block XII, Patriarch Survey District, and parts of Lot 4, D.P. 475, being also part Duppa's Grant, Wairau Valley Registration District, being part of the land in certificates of title, Volume 58, folio 1, and Volume 48, folio 261. As shown on plan marked L. and S. 4/1284A deposited in Head Office, Department of Lands and Survey at Wellington, and thereon edged red. (S.O. Plan 4865.)

Dated at Wellington this 15th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 4/1284; D.O. 8/4/6)

*Revocation of the Reservation over a Reserve Specifying the
Manner of Disposal and How Proceeds of Sale Shall be
Utilised*

PURSUANT to the Reserves and Domains Act 1953, the Minister of Lands hereby revokes the reservation as a reserve for recreation purposes over the land described in the Schedule hereto; and, further, declares that the said land may be disposed of by the Coromandel County Council at current market value, the proceeds from any such sale to be used and applied in or towards the improvement of other recreation reserves under the control of the Council or in or towards the purchase of other land for recreation purposes.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—COROMANDEL COUNTY
LOT 15, D.P. S. 9324, being part Whakau Block, situated in Block X, Otama Survey District: area, 1 rood 31.8 perches, more or less.

Dated at Wellington this 13th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 1/1532; D.O. 8/970)

*Revocation of the Reservation over a Reserve, Specifying the
Manner of Disposal and How Proceeds of Sale Shall be
Utilised*

PURSUANT to the Reserves and Domains Act 1953, the Minister of Lands hereby revokes the reservation as a reserve for recreation purposes over the land described in the Schedule hereto; and, further, declares that the said land may be disposed of by the Taupo Borough Council at current market value, the proceeds from any such sale to be paid into the

Council's reserves account, such moneys to be used and applied in or towards the improvement of other recreation reserves under the control of the Council, or in or towards the purchase of other land for recreation reserves.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT—TAUPO BOROUGH
LOT 14, D.P. S. 7613, being part Section 33, Block VI, Tauhara Survey District: area, 1 acre 1 rood 17.8 perches, more or less. Part certificate of title, Volume 1465, folio 30.

Dated at Wellington this 16th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 1/1480; D.O. 8/5/258)

Revocation of Reservation over Part of a Reserve

PURSUANT to the Reserves and Domains Act 1953, the Minister of Lands hereby revokes the reservation over that part of the reserve for a lunatic asylum described in the Schedule hereto.

SCHEDULE

WESTLAND LAND DISTRICT—WESTLAND COUNTY

PART Reserve 242 situated in Block I, Kaniere Survey District: area, 23 acres 3 roods 18.2 perches, more or less. As shown on the plan marked L. and S. 6/11/157 deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon edged red. (S.O. Plan 4446.)

Dated at Wellington this 13th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 6/11/157; D.O. 3/90)

Reservation of Land and Vesting in the Manukau City Council

PURSUANT to the Land Act 1948, the Minister of Lands hereby sets apart the land described in the Schedule hereto as a reserve for esplanade purposes; and, further, pursuant to the Reserves and Domains Act 1953, vests the said reserve in the Mayor, Councillors, and Citizens of the City of Manukau, in trust, for that purpose.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT—MANUKAU CITY

LOTS 1 and 2, D.P. 59090, being part Allotment 51, Pakuranga Parish, situated in Block VII, Otahuhu Survey District: total area, 12.9 perches, more or less.

Dated at Wellington this 15th day of May 1969.

DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 1/1107/1; D.O. 8/5/516)

Reservation of Land and Vesting in the Otaki Borough Council

PURSUANT to the Land Act 1948, the Minister of Lands hereby sets apart the land described in the Schedule hereto as a reserve for recreation purposes; and, further, pursuant to the Reserves and Domains Act 1953, vests the said reserve in the Mayor, Councillors, and Citizens of the Borough of Otaki.

SCHEDULE

WELLINGTON LAND DISTRICT—BOROUGH OF OTAKI

SECTION 2, Block VIII, Waitohu Survey District: area, 4 acres 3 roods 34.5 perches, more or less. (S.O. 26998.)

Dated at Wellington this 16th day of May 1969.

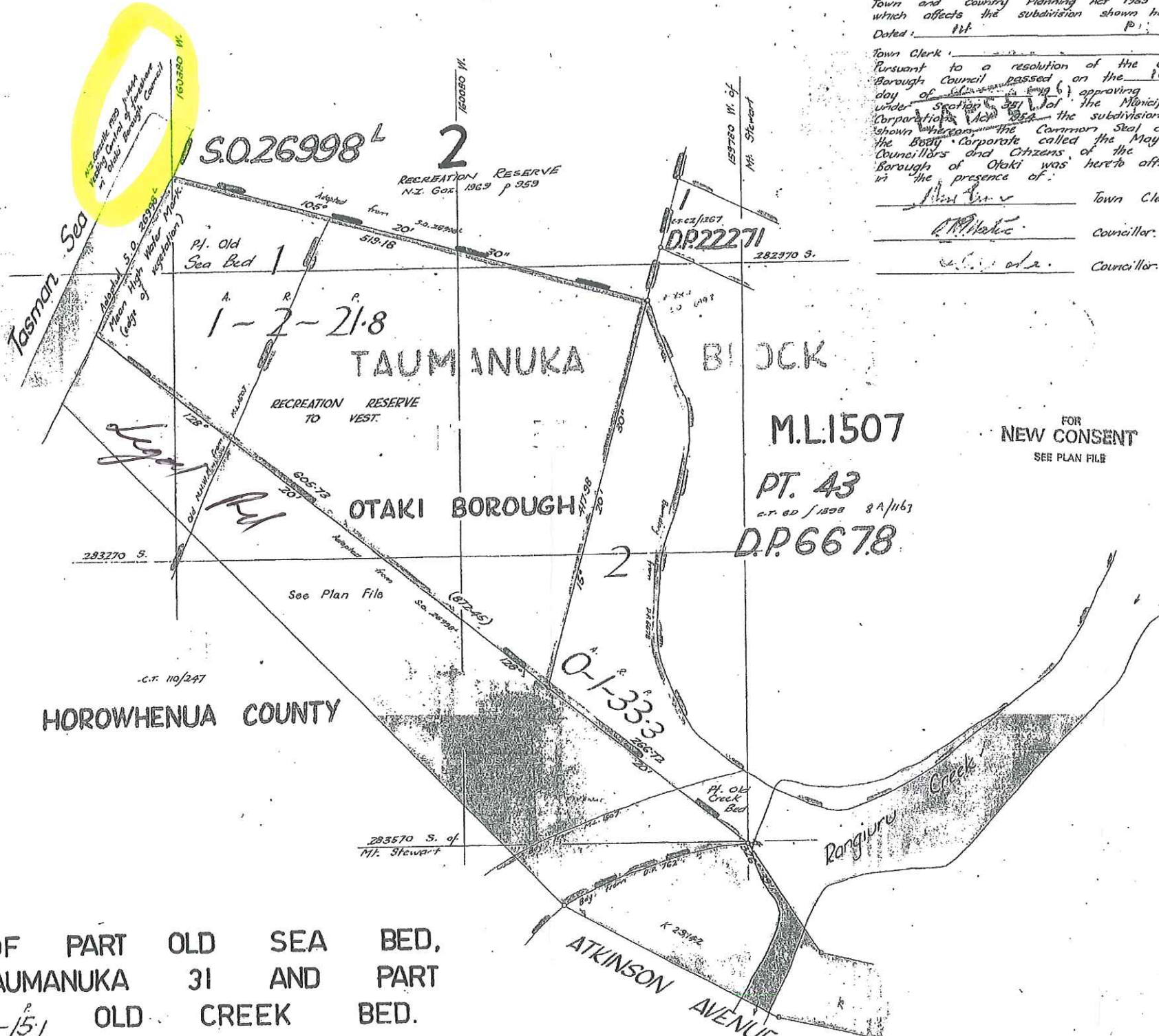
DUNCAN MACINTYRE, Minister of Lands.
(L. and S. H.O. 1/1147; D.O. 8/3/225)

Land Transfer Office
Received PLAN 29368
Title Reference
DEBSON & T 18
310 Referred to L. T. Surveyor 13-3-68

Deposited 13 day
of March 1976
and District and Registrar

29368

Lot 1
2



The Otaki Borough Council certifies that there is no operative district scheme under the Town and Country Planning Act 1953 which affects the subdivision shown hereon.
Dated: 11 day of March 1976
Town Clerk
Pursuant to a resolution of the Otaki Borough Council passed on the 11 day of March 1976, approving under Section 221 of the Municipal Corporations Act 1954 the subdivision shown hereon, the Common Seal of the Body Corporate called the Mayor, Councillors and Citizens of the Borough of Otaki was here to affixed in the presence of:
John D. Harris Town Clerk
P. M. Harris Councillor
W. J. Harris Councillor

FOR
NEW CONSENT
SEE PLAN FILE

PLAN OF PART OLD SEA BED,
PART TAUMANUKA 31 AND PART
OLD CREEK BED.

TOTAL AREA $\div 2-0-15.1$

Approved as a Compilation
S. J. Stirling
Chief Surveyor
2.11.67
Received
Reference plans 22222
Field book
Traverse book
Examined by P. S. Stirling
Recorded
Correct 2.11.67 L. T. Surveyor

Comprised in Acres 10.2 to (C.T. 8A/1163) now C.T. 8A/1163
Survey Block & District VIII WAITOHU
Land District WELLINGTON Local Body OTAKI BOROUGH
Scale 80 links to an inch Surveyed by Foster & Foster Date October 1967
I, Stuart Robertson Foster of Levin Registered Surveyor and holder of an annual practising certificate, solemnly and sincerely declare that this plan has been made and surveyed by me, that both plan and survey are correct, and have been made in accordance with the regulations under the Surveyors Act 1966. And I make this solemn declaration, conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.
Declared at Levin this 21st day of November 1967
before me
Ab. J. Whymper
Justice of the Peace, (or other person authorised to take a statutory declaration.)
S. J. Stirling
Registered Surveyor.

Approved
S. J. Harris
Applicant or Registered Owner
This space reserved for plan numbers
29368

Proclamations: 5491 and 5298

References

Prior C/T

Transfer No.

N/C. Order No. B.260691.1

Land and Deeds 69



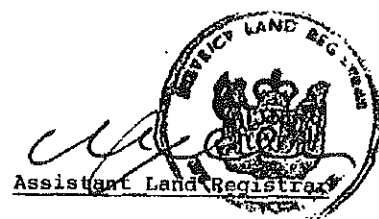
REGISTER

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 27th day of October one thousand nine hundred and ninety-two under the seal of the District Land Registrar of the Land Registration District of WELLINGTON

WITNESSETH that HER MAJESTY THE QUEEN for Soil Conservation Reserve

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 132.3000 hectares more or less situate in the District of Kapiti Coast being Section 1 on Survey Office Plan 36824



B.328824.4 Transfer grant of a water easement over the part herein marked "A" on DP 77715 appurtenant to Lots 1 and 2 DP 77471 (Cst 43D/78 and 79), part Lot 1 DP 51400 (CT 34C/237) and Lot 4 DP 51400 (CT 20D/933) - 14.9.1994 at 11.11 a.m.

C. L. R.
A.L.R.

Subject to a gas pipeline easement (in gross) over parts herein marked A and B DP 84990 in favour of Natural Gas Corporation of New Zealand Limited created by Transfer B640000.1 28.11.1997 at 3.00

Phant
for DLR

B649646.1 Notice of authorised crossing place under section 91 Transit New Zealand Act 1989 affecting State Highway 1 adjoining the within land 11.02.1998 at 1.25

Phant
for DLR

B713509.1 Crossing place notice under Section 91 Transit New Zealand Act 1989 24.3.1999 at 2.05

GMBL
for RGL

TASMAN SEA
ATKINSON AVE.
Sec. 1
132.3000ha

Measurements are Metric

S.O.36824

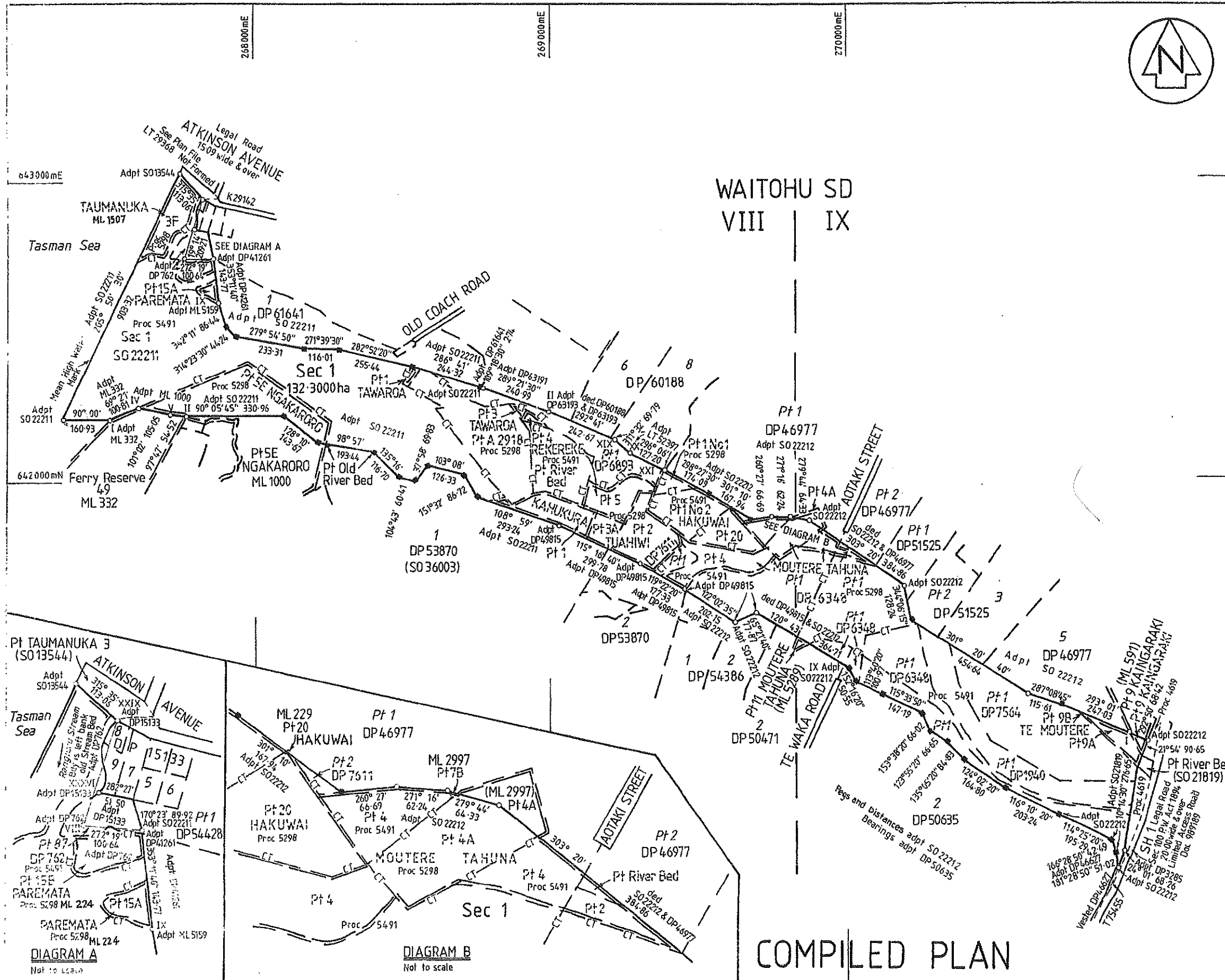
R.R. M.

No.

41C/373

41C/373

No.



Approvals

Section 1 SO 36824 formerly Section 1 SO 22211, Part Lot 87 DP 762, Taumanuka 3F (ML 1507), Parts Paremata 15A and 15B (ML 1507), Part Ngakaroro 5E (ML 1000), Part Tawarua 1 (ML 539), Part Tawarua 3 (ML 225), Part A/2918, Part Rakereke 4 (ML 227), Part Rakereke 5 (ML 599), Part Lot 1 DP 6893, Part Kahukura 1 (ML 548), Part Tuahiwi 3A (ML 3383), Part Tuahiwi 2 (ML 552), Parts Hakuwai 1 No. 1 and 1 No. 2 (ML 1074), Part Hakuwai 20 (ML 229), Part Lot 2 DP 7611, Parts Mouhere Tahuna 4, 4A, 2 & 2B (ML 229), Parts Lot 1 DP 6348, Part Lot 1 DP 1940, Part Lot 1 DP 7564, Parts Te Mouhere 9A and 9B (ML 344), Part Kaingarakahi 9 (ML 591), and Part River Bed, Part Lot 1 DP 7611. Situated in Blocks VIII and IX Waitohu Survey District.

The Rangiora Stream has been artificially deviated and no longer forms the boundary of Lots 8 and 9 DP 15133. I, Alan Lindsay Ross Barwick, certify that the position of the Rangiora Stream as shown on this plan is the same as shown on DP 15133.

Alan Lindsay Ross Barwick
Registered Surveyor

495 MAPS 2982185
Lynda P. H. 1777m

Plotting Origin :
Peg II Adpt DP 63193, Traverse Book 442 page 81
line 12. 642 231.78mN 268 994.09mE

Datum : Geodetic 1949
Wanganui Circuit Coordinates
Origin : Mt Stewart
700 000mN 300 000mE

Total Area 132.3000ha

Comprised in Proc 5491 (All), Proc 5298 (All)
(SOIL CONSERVATION RESERVE.)

I, Alan Lindsay Ross Barwick
Registered Surveyor and holder of an annual practicing certificate, do hereby certify that this plan has been made from surveys made by me or under my directions, that both plan and survey have been made in accordance with the Survey Regulations 1977 and regulations made in substitution thereof.
Dated at Wellington this 30th day of March 1992 Signed *Alan Lindsay Ross Barwick*

Field Book ———— Traverse Book ————
Reference Plans MLs 224, 225, 227, 229, 332, 539, 548, 552, 591, 599, 1000
MLs 1074, 1507, 2997, 3383, 3421, 5159, DP 762, 1940, 5285, 6348, 6893,
DP 7564, 15133, 41261, 46627, 48971, 49815, 50471, 50635, 51525, 53870, 54386,
60108, 61641, Examined *Barwick* Correct *Barwick*
63193

Approved as to Survey

25/5/92

Deposited this day of

LAND DISTRICT WELLINGTON
Survey Blk. & Dist. VIII, IX WAITOHU
NZMS 261 Sheet R25 Record Map No. 8/4

SECTION 1 SO 36824

TERRITORIAL AUTHORITY Kapiti Coast District
Compiled by Department of Survey and Land Information
Scale 1: 9000 Date December 1991

File PL 22/19/1
Received 1/4/92
Instructions 672625

SO 36824

OTAKI 7, 8, 16, 17, 18, 19, 20, 15

