

# Napier Harbour Board Amendment and Endowment Improvement Act 1887

Local Act 1887 No 7  
Date of assent 19 December 1887

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**An Act to amend the Description of the Boundaries of a certain Reserve known as Ahuriri Lagoon Block, the Property of the Napier Harbour Board, and to give Power to the Napier Harbour Board to carry out certain Works and Improvements upon a Portion of the said Reserve and the Te Whare-o-maraenui Block, and to give Borrowing Powers for carrying out such Works.**

### **Preamble**

WHEREAS by The Napier Harbour Board Act 1874, the land as described in Schedules 1 and 3 was reserved and set aside for the use, benefit, and endowment of such Harbour Board as should thereafter be constituted for the Harbour of Napier: And whereas doubts have arisen as to the actual boundaries of the land as described in Schedule 1 hereto by reason of the vagueness of the description thereof, and it is expedient that the boundaries of the said land should be more accurately described: And whereas the Local Board of Health for the Borough of Napier has called upon the Napier Harbour Board to abate a nuisance which exists upon the lands described in the First and Third Schedules hereto: And whereas the nuisance which

exists on the said lands, if not abated, may endanger the general health of the inhabitants of the Borough of Napier: And whereas it is necessary and expedient to carry out certain works and improvements on the said lands which will effectually abate the said nuisance and add materially to the value and productiveness of the property of the Napier Harbour Board:

**BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—**

**1 Short Title**

The Short Title of this Act is The Napier Harbour Board Amendment and Endowment Improvement Act 1887.

**2 Interpretation**

In this Act—

**The said Act** means The Napier Harbour Board Act 1874;

**The Board** means the Napier Harbour Board;

**The Chairman** means the Chairman of the Board for the time being;

**The Treasurer** means the treasurer of the Board for the time being.

**3 New description of boundaries**

The description of the boundaries of the land as appears in Schedule 2 hereto shall be substituted for the boundaries of the said land as set forth and described in Schedule 1 hereto.

**4 Application of provisions of principal Act to land in Schedule 2**

All the provisions of the said Act shall apply in the same manner to the land as described in Schedule 2 hereto as apply to the land described in Schedule 1 hereto.

**5 Power to reclaim**

The Board is hereby authorised to fill up and reclaim the whole or any part of the reserve known as Te Whare-o-maraenui

Reserve, being the land described in Schedule 3 hereto, and such part of the Ahuriri Lagoon as lies to the east of the public road leading from Napier to Taradale; and for such purpose may construct and maintain such works as may be necessary.

**6 Power to borrow \$60,000**

*[Repealed]*

Sections 6, 7, 8 and 9 were repealed, as from 16 September 1889, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1889 (1889 No 11(L)).

**7 Form of mortgages and assignments**

*[Repealed]*

Sections 6, 7, 8 and 9 were repealed, as from 16 September 1889, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1889 (1889 No 11(L)).

**8 Numeration of mortgages**

*[Repealed]*

Sections 6, 7, 8 and 9 were repealed, as from 16 September 1889, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1889 (1889 No 11(L)).

**9 Equality of holders of mortgages**

*[Repealed]*

Sections 6, 7, 8 and 9 were repealed, as from 16 September 1889, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1889 (1889 No 11(L)).

**10 Power to sell**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

**11 Commissioners to receive proceeds up to £30,000**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

**12 Application of surplus**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

**13 Application of interest**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

**14 Application of surplus interest**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

**15 Until proceeds of sale bear interest, interest on loan first charge on general revenue**

Pending the investment by the Commissioners of the proceeds of sale the annual interest on the said loan shall be a charge upon and shall be paid out of the general revenue of the Board; and, in case, after the investment of the proceeds of sales, the interest to be derived therefrom shall not be sufficient to meet the interest on the said loan, the deficiency shall be a charge upon and shall be paid out of the general revenue of the Board.

**16 Act a special Act**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

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**Schedule 1**  
**Ahuriri Lagoon (7,900 acres)**

COMMENCING at the mouth of the Ahuriri Harbour, on the inner beach of the Western Spit, following Northerly along the shore of

the Ahuriri Lake to the mouth of the River Esk; thence following Westerly and Southerly along the shore of the Ahuriri Lake, along the northern and eastern side of Park's Island, and again by the southern shore of the Ahuriri Lake to the mouth of the Tutaekuri River; thence following along the north-west boundary of the Te Whare-o-maraenui Block to the railway-line; thence following Northerly along the railway-line to the northern end of the new breastwork, and from thence crossing the entrance of the Ahuriri Harbour in a straight line to the commencing point on the inner beach of the Western Spit: excluding the islands called Roro-o-kuri, Parapara, Te Ihuotekei, Uruwiri, Poro Poro, Tirowhangahe, Tuteranuku, Awa-a-waka, and Matawhero.

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## **Schedule 2**

### **Ahuriri Lagoon**

ALL that parcel of land comprising 7,900 acres, more or less, and known as the Ahuriri Lagoon, in the Provincial District of Hawke's Bay, the boundaries whereof are as follows: Starting at the western extremity of Railway Quay; thence by a line bearing  $283^{\circ} 57'$  to the Ferry and Landing Reserve on the Western Spit; thence by the southern boundary of that reserve to Meanee Quay; thence towards the North and East by Meanee Quay Survey Reserve, a Maori reserve, Meanee Quay, and the shore of the Ahuriri Lagoon to the mouth of the River Esk; thence by a line across that river to the southernmost corner of Block 84, as shown on the plan of the western side of the Harbour suburban sections; thence towards the North-east by Blocks 84, 49, 48, 47, and 46 on the said plan; thence North-westerly by Blocks 45 and 44 on the said plan; thence South-westerly by Blocks 43, 34, 33, 32, and 29 on the said plan; thence Easterly by Blocks 30 and 31 on the said plan; thence Westerly by Blocks 31 and 30 on the said plan; thence North-westerly by Blocks 29 and 28 on the said plan, a public road through Blocks 27, 26, and 25, and by Block 10 on the said plan; thence on the South-east by Blocks 9, 7, and 6 on the said plan; thence on the North-west by Blocks 6 and 7 on the said plan; thence on the South-east by Blocks 3 and 2 on the said plan; thence on the South-west by Block 1 on the said plan; thence on the North-west by Blocks 2, 3, 4, and 5 on the said plan;

thence on the South-west by the Warerangi Block; thence Southerly and Westerly by Blocks 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, and 4 as shown on the plan of the Ahuriri Harbour suburban sections to the easternmost corner of Block 4 of the said Ahuriri Harbour suburban sections; thence by a line to the northernmost point of Block 2, Park's Island; thence by the northern, eastern, and southern shores of that island to its junction with Block 94, as shown on the plan of the Meanee suburban sections; thence by the eastern boundary of that block to its south-eastern corner; thence on the South-east by a line to the North-west point of Block 48 on the said plan of the Meanee suburban sections; thence by the northern boundary of Block 48 to its north-east corner; thence on the North-west by a line to the northernmost point of Block 95 on the said plan of the Meanee suburban sections; thence on the West and South by Block 95; thence Easterly by the Napier-Taradale Road and Blocks 47 and 96; thence South-easterly by Blocks 96 and 47 on the said plan of the Meanee suburban sections to the intersection with the Napier-Taradale Road; thence South-easterly by that road to a point opposite the north-west corner of Block 124 on the said plan of the Meanee suburban sections; thence Southerly by Blocks 124 and 122 on the plan of the Meanee suburban sections; thence generally Westerly by Blocks 122 and 47 on the said plan of the Meanee suburban sections; thence generally Southerly by Block 123 on the said plan of the Meanee suburban sections and Blocks 68 and 69 on the same plan; thence generally Easterly by Blocks 100 and 101 on the said plan of the Meanee suburban sections; thence Southerly by Block 101 to the bank of the Tutaekuri River; thence across that river by a line bearing due east to the boundary of the Te Whare-o-maraenui Block; thence North-easterly by the Te Whare-o-maraenui Block to the westernmost corner of that block; thence South-easterly by the same block to the Railway Reserve; thence towards the North and East by the Railway Reserve to the southernmost point of the Harbour Reserve known as Section 601, as shown on the plan of the Town of Napier; thence towards the East by that reserve to the south-west corner of Town Section 600, Napier; thence by a line bearing  $23^{\circ} 1'$  to a harbour reserve on the north side of Railway Quay; thence towards the North by the said reserve to the starting point at the western extremity of Railway Quay: excluding

the islands called Roro-o-kuri, Parapara, Te Ihuotikei, Uruwiri, Poroporo, Tirowhangahe, Tuteranuku, Awa-a-waka, and Matawhero.

The reference to “Maori” was substituted, as from 27 November 1947, for a reference to “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59). *See* the Napier Harbour Board Empowering Act 1932-33.

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### **Schedule 3**

#### **Te Whare-o-maraenui block**

CONTAINING 1,784 acres 2 roods, more or less, situate in the Napier Suburban District, commencing at the mouth of the Tutaekuri River on the east bank, following a line bearing 234° 57' to Wellesley Road, following along the southern side of that road, and along the western boundary of the Tutae-o-mahu Block to Tareha's Bridge; thence along the north side of said bridge, and along the east and north boundaries of the Pukeroa Block to the Meanee Road, following along that road a distance of 2,234 links to a public road, and along the north side of said public road to the Tutaekuri River, down that river to Tareha's Reserve, following round the south, east, and north boundaries of that reserve again to the Tutaekuri River, and down that river to the starting point at its mouth.

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### **Schedule 4**

ALL that part or parcel of land containing 543 acres, more or less, being part of the Harbour Reserve known as the Ahuriri Lagoon, situate to the eastward of the Napier-Taradale Road, commencing at the north-west corner of Block 124, as shown on the plan of the Meanee suburban sections, and bounded southerly by Blocks 124 and 122 on the said plan; thence generally Westerly by Blocks 122 and 47 on the said plan; thence generally Southerly by Block 123 and Blocks 68 and 69 on the said plan; thence generally Easterly by Blocks 100 and 101 on the said plan; thence Southerly by Block 101 to the bank of the Tutaekuri River; thence across that river by a line due east to the boundary of the Te Whare-o-maraenui Block; thence north-easterly by the Te Whare-o-maraenui Block to the Napier-Taradale Road; thence North-Westerly by that road to the starting point.



And all that part or parcel of land containing 14 acres 1 rood 24 perches, more or less, being a part of the said Ahuriri Lagoon situate to the eastward of Napier-Taradale Road, commencing at the north-east corner of the Napier-Taradale Road at its intersection with the Railway Reserve, and bounded on the north-west by the Napier-Taradale Road to its intersection with the Te Whare-o-maraenui Block; thence on the south-east by the Te Whare-o-maraenui Block to its junction with the Railway Reserve; thence on the North by the Railway Reserve to the starting point at the north-east corner of the Napier-Taradale Road.

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### **Schedule 5**

#### **Te Whare-o-maraenui block**

ALL that area containing 1,554 acres 2 roods, more or less, situate in the Napier Suburban District, the boundary whereof commences at the mouth of the Tutaekuri River on the east bank, thence follows a line bearing  $54^{\circ} 57' E$  to Wellesley Road, along the southern side of that road to a point 1084.9 links from its junction with Carlyle Street; thence by lines bearing  $N 180^{\circ} 30' E$ , 4745 links, and  $N 90^{\circ} 30' E$ , 5470.2 links respectively; thence along the western boundary of the Tutae-o-mahu Block to Tareha's Bridge; thence along the north side of said bridge and along the east and north boundaries of the Pukeroa Block to the Meanee Road, following along that road a distance of 2234 links to a public road, and along the north side of the said public road to the Tutaekuri River, down that river to Tareha's Reserve, following around the south, east, and north boundaries of that reserve again to the Tutaekuri River, and down that river to the starting point at its mouth.

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**Schedule 6**  
**Province of Hawke's Bay, New Zealand**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

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**7**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

*[Repealed]*

**8**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

*[Repealed]*

**9**

*[Repealed]*

Sections 10, 11, 12, 13, 14 and 16, and Schedules 6, 7, 8, and 9, were repealed, as from 6 October 1899, by section 3 Napier Harbour Board Amendment and Further Empowering Act 1899 (1899 No 3(L)).

*[Repealed]*