

**Reprint
as at 26 October 1935**



**Napier Foreshore Extension Act
1935**

Local Act 1935 No 10
Date of assent 25 October 1935
Commencement 25 October 1935

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An Act to extend to other lands the rights, powers, authorities, and privileges conferred on the Napier Harbour Board and the Corporation of the Borough of Napier by the Napier Foreshore Act 1927

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

Preamble

Whereas the lands described in the Schedule form portion of or adjoin the sea beach near the Borough of Napier and are vested in the Napier Harbour Board under and by virtue of the Napier Harbour Board Empowering and Loan Act 1884:

And whereas it is desirable for similar reasons to those recited in the Preamble to the Napier Foreshore Act 1927 (hereinafter called the **said Act**), that the same rights, powers, authorities, and privileges as are conferred on the said Board and the Corporation of the Borough of Napier respectively by the said Act with respect to the land described in Schedule 1 of that Act shall be conferred on them respectively with respect to the lands described in the Schedule of this Act.

1 Short Title

This Act may be cited as the Napier Foreshore Extension Act 1935.

2 Rights, powers, etc, conferred by Napier Foreshore Act 1927 extended to further lands

The same rights, powers, authorities, and privileges as are conferred, and obligations as are imposed, on the Napier Harbour Board and the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Napier respectively by the said Act with respect to the land described in Schedule 1 of that Act are hereby conferred and imposed on the said Board and the Corporation respectively with respect to the lands described in the Schedule of this Act, and all the provisions of the said Act having relation to the land described in Schedule 1 of that Act shall apply, *mutatis mutandis*, to the lands described in the Schedule of this Act.

Schedule

Firstly, all that piece or parcel of land situate in the Town of Napier, being Lot 4 on a plan deposited in the Land Transfer Office at Napier under Number 6121 containing one acre two roods two perches (1 acre 2 roods 2 perches), more or less, being part of Town Section 664, and being also part of the land comprised in certificate of title, HB Volume 80, folio 196, bounded on the south by Lot one (1), deposited plan 2183 (the Napier public baths site), 116.20 links, and by lines as follows: commencing from the easternmost extremity of the last-mentioned line; thence generally northerly by lines bearing $4^{\circ}47'$, 391.9 links, and bearing $9^{\circ}46'$, 1 020.25 links; thence westerly by a line bearing $270^{\circ}00'52''$, 81.01 links; thence generally southerly along the Marine Parade, 985.90 links and 425.70 links, to the westernmost extremity of the first-mentioned boundary line.

Secondly, all that piece or parcel of land situate in the Town of Napier, being Lot 6 on Deposited Plan No 6121, containing two acres two roods (2 acres 2 roods), more or less, being part of Town Section 664, and being also part of the land comprised in certificate of title, HB Volume 80, folio 196, the boundaries whereof are as follows: commencing at a point in the eastern boundary line of the piece or parcel of land described in Schedule 1 of the Napier Foreshore Act 1927, distant 294 links, on that boundary line from the north-eastern corner of Town Section 633; thence south-easterly along the circumference of a circle having a radius of 152.2 links for a distance of 198.75 links; thence northerly by a line running parallel with and at a distance of 50 links from high-water mark for a distance of 3 090 links; thence westerly by a line bearing $270^{\circ}00'52''$, 70 links; thence southerly by lines bearing $189^{\circ}46'$, 1 020.25 links, and bearing $184^{\circ}47'$, 340 links; thence easterly by a line bearing $94^{\circ}09'52''$, 60 links; thence south-easterly by a line bearing $139^{\circ}09'52''$, 40 links; thence southerly by a line bearing $184^{\circ}09'52''$, 420 links; thence south-westerly by a line bearing $229^{\circ}09'52''$, 40 links; thence westerly by a line bearing $275^{\circ}43'$, 59.83 links; thence southerly along the eastern boundary line of the piece or parcel of land described in the said Schedule 1 of the Napier Foreshore Act 1927 to the commencing point, 1 098.7 links.

Thirdly, all that piece or parcel of land situate in the Town of Napier, being Lot 5 on Deposited Plan No 6121, containing one rood twenty-six perches (1 rood 26 perches), more or less, being part

of Town Section 664, and being also part of the land comprised in certificate of title, HB Volume 80, folio 196, the boundaries whereof are as follows: commencing at a point in the eastern boundary line of the piece or parcel of land described in Schedule 1 of the Napier Foreshore Act 1927, distant 1 392.7 links, on that boundary line from the north-eastern corner of Town Section 633; thence easterly by a line bearing $95^{\circ}43'$, 59.83 links; thence north-easterly by a line bearing $49^{\circ}09'52''$, 40 links; thence northerly by a line bearing $4^{\circ}09'52''$, 420 links; thence north-westerly by a line bearing $319^{\circ}09'52''$, 40 links; thence westerly by a line bearing $274^{\circ}09'52''$, 60 links; thence southerly by lines bearing $184^{\circ}47'$, 51.9 links; $184^{\circ}09'52''$, 303.05 links; $183^{\circ}47'50''$, 120.05 links, to the commencing point.

Fourthly, all that piece or parcel of land situate in the Town of Napier, being Lot 7 on Deposited Plan No 6121, containing one rood (1 rood), more or less, being part of Town Section Number 664, and being also part of the land comprised in certificate of title, HB Volume 80, folio 196, which said piece or parcel of land is the segment of a circle with a radius of 152.2 links, the chord of which segment commences at the north-eastern corner of Town Section 633 and proceeds thence in a northerly direction for a distance of 294 links along the eastern boundary line of the piece or parcel of land described in Schedule 1 of the Napier Foreshore Act 1927, and thence proceeds along the circumference of the said circle on the east side of the said chord to the point of commencement: as the said areas are more particularly shown and delineated, edged in green, pink, blue, and brown respectively on plan marked MD 7340, and deposited in the office of the Marine Department at Wellington.

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Notes

1 *General*

This is a reprint of the Napier Foreshore Extension Act 1935. The reprint incorporates all the amendments to the Act as at 26 October 1935, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
