

Licensing the Coromandel County Council to use and occupy Parts of the Foreshore and Land below High-water Mark in the Coromandel County, prescribing Dues for the use of the said Wharves, making Regulations for the use of Same, and revoking Previous Orders in Council.

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of December, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council, doth hereby license and permit the Coromandel County Council (hereinafter called "the Council"), which term shall include its successors or assigns unless the context requires a different construction, to use and occupy parts of the foreshore at Coromandel, Ngamana Point, Otautu, Port Charles, Port Jackson, Te Kauanga, Whangapoua, Whitianga, and Whitianga Ferry, all in the Coromandel County, as shown on approved plans marked M.D. 8186, M.D. 8191, M.D. 8192, M.D. 7566 and 8185, M.D. 8188, M.D. 8189, M.D. 2194, M.D. 6972 and 8184, and M.D. 8190 respectively, and deposited in the office of the Marine Department at Wellington as sites for wharves, subject to the terms and conditions set forth in the First Schedule hereto; and doth hereby prescribe that the dues and rates specified in the Second Schedule hereto shall be taken and charged by the Council for the use of the said wharves, doth hereby make the regulations set forth in the Third Schedule governing the management and use of the said wharves, and doth hereby revoke the respective Orders in Council set out in the Fourth Schedule hereto.

FIRST SCHEDULE.

CONDITIONS.

1. THIS license is subject to the Foreshore License Regulations 1940, and the provisions of those regulations shall, so far as applicable, apply thereto.
2. The term of the license shall be fourteen years from the date hereof.
3. The master of every vessel discharging ballast at the said wharves shall have all such ballast taken away and deposited above high-water mark, or at such place as may be approved by the Minister or by any persons appointed by the Minister for that purpose.
4. The annual sum payable by the Council shall be 1s. payable on demand.

SECOND SCHEDULE.

DUES.

Berthage Charges on Vessels.

	s.	d.
REGULAR trading vessels under 20 tons register for each wharf per quarter (paid in advance)	10	0
Regular trading vessels 20 tons register and upwards: For the first 20 tons, 10s., and for every additional ton per each wharf per quarter (paid in advance) ..	0	6
Irregular trading vessels under 20 tons register lying alongside any of the wharves for each day or part of a day	1	0
Irregular trading vessels of 20 tons register and upwards lying alongside any of the wharves for each day or part of a day: For the first 20 tons, 1s., and for every additional ton register	0	0½
Fishing-vessels, per ton register per day	0	1

All vessels which do not pay their dues in advance will be deemed irregular trading vessels.

Masters or owners of all regular trading vessels shall pay their dues quarterly in advance to the Treasurer of the Council. The quarters shall commence on the first days of January, April, July, and October in each year.

All dues payable by irregular trading vessels shall be paid to the Treasurer of the Council, and the payments shall be made by the master or owner of the vessel upon the first application by the Treasurer.

Passenger Rates.

The master, owner, or agent of all regular trading vessels shall pay to the Treasurer of the Council for each and every adult passenger carried by such vessel and landed on or shipped from any of the wharves mentioned in this Order in Council the sum of 6d., and for each and every child under 16 years of age 3d.: Provided that such charge shall not be payable in respect to passengers travelling between any of the wharves before mentioned. All passengers berthage dues shall be paid monthly on or before the seventh day of each month in accordance with a return which shall be furnished to the Treasurer of the Council from the books or records of the master or owner of the vessel which carried the passengers.

Wharfage on Goods.

Every person landing on or shipping from any of the wharves mentioned in this Order in Council any live-stock, goods, or merchandise shall pay to the Treasurer of the Council wharf dues at the rates prescribed as follows:—

	s.	d.
Live-stock—		
Cattle (yearlings)	0	3 each.
Cattle (yearlings to two years)	0	6 each.
Cattle (full grown)	1	0 each.
Lambs	0	0½ each.
Horses	1	0 each.
Poultry	0	3 per dozen.
Sheep, goats, and pigs	0	1 each.
Merchandise—		
Benzine, fuel oils, &c., per 44-gallon drum	0	5 each.
Cement	0	1 per bag.
Chaff	0	0½ per bag.
Fence-posts	3	0 per 100.
Firewood	0	6 per ton.
Lime and manure	1	0 per ton.
Motor-cycles	1	0 each.
Sleepers	4	6 per 100.
Stone, shingle, and sand	0	6 per cubic yard.
Timber—		
Baulk or round (per 100 sup. ft.)	0	6
Sawn (per 100 sup. ft.)	0	3
Vehicles—		
Horse-drawn, two wheels	3	0 each.
Horse-drawn, four-wheeled	4	0 each.
Motor, four-wheeled	4	0 each.

All other merchandise not especially mentioned per ton of 20 cwt. or per ton of 40 cubic feet measurement at the option of the Council .. 1 8

Consignments not of even tonnages shall be charged at the rate of 1d. per cwt. by weight or ¼d. per cubic foot; such charge shall be payable as for the next even foot higher and the next even penny higher.

All cases, drums, barrels, or baskets being returned empty— at half the specified rates.

Storage.

Every person, firm, company, or corporate body whose goods remain in any wharf, shed, or on any of the wharves mentioned in this Order in Council for more than one week from the date the said goods were placed therein or thereon shall pay to the Treasurer of the Council (when called upon by the Council or wharfinger so to do) before receipt of such goods, storage for such goods as hereafter mentioned, that is to say: For each and every week or part of a week from the date the goods are first placed in the shed or on the wharf, double the rates set out in the wharfage Schedule.

If any cargo remains on any of the wharves for a longer period than forty-eight hours, or where such cargo hinders the loading or unloading of any vessel or is an impediment to the approaches, the Council, through the wharfinger or other so authorized person, may have such cargo removed at the expense of the owner, and the cost of such removal shall be payable by the owner previous to taking receipt of the goods.

In default of payment the Council may, in the manner and in the time provided in section 195 of the Harbours Act, 1923, sell the goods and exercise all the powers contained in the said section 195.

THIRD SCHEDULE.

REGULATIONS.

1. THE master of any vessel coming alongside any of the wharves shall be responsible for the proper and safe berthing of his vessel, which vessel shall be held responsible for any damage done to the wharves in connection therewith. The Council will repair any such damage and charge the cost of doing so against the master or owner of the vessel doing the damage.

2. When two vessels are expecting to berth at the same wharf at the same tide the wharfinger, or any officer authorized by the Council to do so, shall direct the master of each vessel where his vessel is to be berthed, and any master failing to carry out those directions commits a breach of these regulations.

3. Before any vessel is removed from any of the wharves, the master of the said vessel shall cause all dirt and rubbish to be thoroughly cleared from the portion of the wharf occupied by the vessel, and deposited how and where directed by any person authorized by the Council so to direct such master.

4. The master, owner, or agent of every regular trading vessel shall, not later than the seventh day of every month, furnish to the Clerk of the Council a certified copy of the freight lists of the cargo carried by every such vessel each trip with proper accounts of the weights and measurements of all goods landed on or shipped from any of the said wharves during the previous month, and shall at the same time pay to the Treasurer of the Council the amount due for wharfage at the rates hereinbefore set down on all goods the weights and measurements of which are shown on the certified freight lists.

5. No person shall permit any live-stock to remain on any of the said wharves longer than is actually necessary for loading or unloading the same.

6. All explosives, kerosene, benzine, fuel oil, and all goods of a dangerous or inflammable character shall be removed by the owner, agent, or consignee immediately on being landed, and such owner, agent, or consignee failing to do so will be held responsible for any damage or loss that may accrue from any accident arising therefrom, in addition to the penalty provided.