

*Directing Application of Moneys Received in Respect of the Tane and Makairo Domains, Wellington Land District, for the Purposes of the Pongaroa Domain*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 10th day of May, 1950

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

IN pursuance and exercise of the powers and authorities conferred by section sixty-one of the Public Reserves, Domains, and National Parks Act, 1928, 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, doth hereby direct that from the moneys received in respect of the Tane Domain, described in the First Schedule hereto, and the Makairo Domain, described in the Second Schedule hereto, and at the date hereof lying to the credit of the said domains a sum not exceeding two hundred and forty pounds from the funds of the Tane Domain and a sum not exceeding two hundred and sixty pounds from the funds of the Makairo Domain shall be applied in managing, administering, and improving the Pongaroa Domain described in the Third Schedule hereto.

FIRST SCHEDULE

WELLINGTON LAND DISTRICT.—TANE DOMAIN

SECTIONS 21 and 22, Block XVI, Mangahao Survey District: Area, 23 acres 3 roods, more or less.

SECOND SCHEDULE

WELLINGTON LAND DISTRICT.—MAKAIRO DOMAIN

LOT 1 of Section 47, Makairo Village Settlement: Area, 5 acres, more or less. (S.O. plan 13940.)

THIRD SCHEDULE

WELLINGTON LAND DISTRICT.—PONGAROA DOMAIN

SUBURBAN Section 12, Town of Pongaroa: Area, 13 acres 0 roods 12 perches more or less.

T. J. SHERRARD,

Clerk of the Executive Council.

(L. and S. H.O. 1/66; D.O. 8/282.)

*Vesting the Control of Part of the Foreshore in the Bay of Plenty in the Waihi Borough Council*

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 3rd day of May, 1950

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS it is enacted by section 158 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 21 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 Waihi 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.

FIRST SCHEDULE

THAT portion of the foreshore in the Bay of Plenty commencing at a point eight chains north of the north-eastern corner of Waihi No. 3 Block, in the County of Ohinemuri, and extending generally south-eastwards to the south-eastern corner of Waihi No. 5 Block, in the County of Tauranga; as the same is shown, coloured red, on plan marked M.D. 6656, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

In these conditions the terms—

“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides :

“Low-water mark” means low-water mark at ordinary spring tides :

“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. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown in green on plan marked M.D. 6656, and deposited in the office of the Marine Department at Wellington.

3. 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.

4. 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.

5. 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.

6. 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.

7. The Council may, subject to the provisions of section 171 of the Harbours Act, 1923, erect or licence 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.

8. 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.

9. 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.

10. 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 3rd day of May, 1950, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

11. 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 six 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.

T. J. SHERRARD,

Clerk of the Executive Council.

*Vesting the Control of a Scenic Reserve in the Kaitake Borough Council*

B. C. FREYBERG, Governor-General

IN pursuance and exercise of the powers and authorities conferred upon him by section thirteen of the Scenery Preservation Act, 1908 (hereinafter referred to as the said Act), His Excellency the Governor-General of the Dominion of New Zealand doth hereby vest the control of the scenic reserve described in the Schedule hereto (being land reserved under the said Act) in the Kaitake Borough Council, subject to the conditions hereinafter contained, that is to say—

1. The period for which the control of the reserve is hereby vested shall be five years from the date hereof, unless the reservation is previously altered or revoked under the said Act.

2. The said Council shall prepare a report each year ending on the thirty-first day of March, together with a statement of receipts and expenditure in connection with the said reserve. Such report and statement shall be sent to the Minister charged with the administration of the said Act as soon as possible after the close of the year.

3. The said Council shall control the said reserve in accordance with the provisions of the said Act and of the regulations made thereunder.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

SECTION 22, Block XV, Omapere Survey District; Area, 131 acres 2 roods 33 perches, more or less. (North Auckland plan S.O. 35261.)

As witness the hand of His Excellency the Governor-General, this 8th day of May, 1950.

E. B. CORBETT,

Minister in Charge of Scenery Preservation.

(L. and S. H.O. 4/806; D.O. 13/99.)

*Appointment of Member of Board of Health Under the Health Act, 1920*

B. C. FREYBERG, Governor-General

IN pursuance and exercise of the powers and authorities conferred upon me by the Health Act, 1920, I, Lieutenant-General Sir Bernard Cyril Freyberg, the Governor-General of the Dominion of New Zealand, do hereby appoint

Edwin Henry Staples Hamilton, Esquire,

to be a member of the Board of Health for a period of three years as from the 8th day of May, 1950.

As witness the hand of His Excellency the Governor-General, this 8th day of May, 1950.

JACK T. WATTS, Minister of Health,

(H.H. 50/3.)