

SECOND SCHEDULE

1. 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 Seaman 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 that part of the foreshore as shown, edged yellow, on plan marked M.D. 9166, 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 Board 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, 1950, 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 Board 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 Board may, subject to the provisions of section 178 of the Harbours Act, 1950, 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 Board 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 Board 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 date hereof, 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 Board 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 Board in New Zealand.

T. J. SHERRARD, Clerk of the Executive Council.

Revoking the Reservation Over a Reserve in Block XVI, Leeston Survey District, Canterbury Land District

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of May, 1951

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

IN pursuance and exercise of the powers and authorities conferred upon him by subsection (1) (b) of section 7 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 revoke the reservation for a reserve for the public service of the Province of Canterbury over the land described in the Schedule hereto; and doth hereby declare that the said land, being vested in the Crown, is Crown land available for disposal under the Land Act, 1948.

SCHEDULE

CANTERBURY LAND DISTRICT

ALL that area situated in Block XVI, Leeston Survey District, containing by admeasurement 1 acre 3 roods 39 perches, more or less, being part Rural Section 5787, and being also described as Subsection 48 on a plan lodged in the Land Registry Office at Christchurch as Deeds Index Plan (1), No. 18. As the same is more particularly delineated on the plan marked L. and S. 6/7/118a, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

T. J. SHERRARD,
Clerk of the Executive Council.

(L. and S. H.O. 6/7/118; D.O. 8/28/3.)

Revoking the Reservation Over Part of a Reserve in the Town of Picton, Marlborough Land District

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of May, 1951

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

IN pursuance and exercise of the powers and authorities conferred upon him by subsection (1) (b) of section 7 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 revoke the reservation for public utility over the land described in the Schedule hereto; and doth hereby declare that the said land, being vested in the Crown, is Crown land available for disposal under the Land Act, 1948.

SCHEDULE

MARLBOROUGH LAND DISTRICT

ALL that area containing by admeasurement 5 acres, more or less, being part Reserve D, Town of Picton. As the same is more particularly delineated on the plan marked L. and S. 6/1/721c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. (S.O. plan 4003.)

T. J. SHERRARD,
Clerk of the Executive Council.

(L. and S. H.O. 6/1/721; D.O. 8/122.)

Vesting a Reserve in the Panmure Road Board

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of May, 1951

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

WHEREAS the land described in the Schedule hereto has been duly set apart as a reserve for recreation purposes: And whereas, in the opinion of the Governor-General, it is expedient to vest the said reserve in the Panmure Road Board:

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 9 of the Public Reserves, Domains, and National Parks Act, 1928, doth hereby declare that from and after the day of the date hereof the reserve described in the Schedule hereto shall become vested in the Panmure Road Board in trust, for recreation purposes.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

ALL that area situated in Block II, Otahuhu Survey District, containing by admeasurement 1 acre 1 rood 7-7 perches, more or less, being part of Allotment 23 of Section 3, Village of Panmure, as shown on a plan deposited in the Land Registry Office at Auckland under No. 17738; and parts of Allotments 24 and 25 of Section 3, Village of Panmure. As the same is more particularly delineated on the plan marked L. and S. 6/9/45B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. (North Auckland plan S.O. 35833.)

T. J. SHERRARD,
Clerk of the Executive Council.

(L. and S. H.O. 6/9/45; D.O. 8/312.)

Recreation Reserves in the Nelson Land District Brought Under Part II of the Public Reserves, Domains, and National Parks Act, 1928

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of May, 1951

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

BY virtue of the powers and authorities vested in me by section 34 of the Public Reserves, Domains, and National Parks Act, 1928, I, Lieutenant-General Sir Bernard Cyril Freyberg, 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, do hereby order and declare that the reserves for recreation in the Nelson Land District described in the Schedule hereto shall be and the same are hereby brought under the operation of and declared to be subject to the provisions of Part II of the said Act; and such reserves shall hereafter be known as the Matakaitaki Domain, and be managed, administered, and dealt with as a public domain.